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THE  
CONSTITUTION  
OF THE  
REPUBLIC OF MEXICO,  
AND OF THE  
STATE OF COAHUILA & TEXAS.

CONTAINING ALSO  
AN ABRIDGEMENT OF THE LAWS OF THE GENERAL  
AND STATE GOVERNMENTS, RELATING  
TO COLONIZATION.  
WITH  
SUNDRY OTHER LAWS AND DOCUMENTS, NOT BEFORE  
PUBLISHED, PARTICULARLY RELATING TO  
COAHUILA AND TEXAS.

*The Documents relating to the GALVESTON BAY AND  
TEXAS LAND COMPANY; the GRANTS TO MESSRS.  
WILSON AND EXTER, and to COL. JOHN DOMINGUEZ.*

WITH A DESCRIPTION OF THE SOIL, CLIMATE, PRODUCTIONS, LOCAL AND  
COMMERCIAL ADVANTAGES OF THAT INTERESTING COUNTRY.

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NEW-YORK:

LUDWIG & TOLEFREE, PRINTERS.

Corner of Greenwich and Vesey-streets.

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## P R E F A C E .

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THE extreme difficulty experienced in obtaining correct information, in regard to the General and State Governments of Mexico, their Constitutions and Laws, their system of Jurisprudence, and the manner of administering Justice in that country, induced the undersigned to collect, collate, and abridge, as many of their laws as it was in his power to procure, particularly those relating to colonization, to the manner of obtaining titles, and of alienating lands in the new states and colonies, the system of laws by which new states and colonies are governed, the Constitutions of the General and State Governments, and such other information as he deemed necessary or useful to those who feel an interest on this subject.

This abridged statement was made by the undersigned without any intention of publishing it, but for his own convenience, as a book of reference, to ascertain the law on the different subjects to which it referred. Having been solicited, by several friends, to permit copies of this statement to be taken, and believing the information it may give, will be serviceable to many, he has concluded to publish it. The Constitutions of the Republic of Mexico, and of the State of Coahuila and Texas, are published at length: these being the foundation on which all their laws are based, cannot, with any propriety, be abridged. The law in regard to slavery, citizenship, and naturalization, to the collection of debts, and sundry other laws, and abstracts of laws, of much interest to those who reside in that country, or who are about to remove there, are also contained in this pamphlet. The abstract of the laws of colonization was made from the laws, as translated and published by the Galveston Bay and Texas Land Company, in 1830, which was presumed to be correct. Mr. Burnet's letter, and several other extracts, were taken from the

same publication. A Meteorological Table of the weather, from the first of March to the 20th of September, 1831, kept by the agents of the union company at Galveston Bay ; and also an official amount of duties received at the port of Matamoras for the financial year ending 30th June, 1831, are also added. The undersigned has, during the last year, travelled considerably over Texas, and has taken great pains to collect information, to enable him to form a correct opinion in regard to that country.

He does not expect to escape the charge of partiality for Texas : this charge is generally made against all who attempt to describe, and who speak favorably of a new country ; but the testimony given by others fully supports all that is here said on the subject of Texas. He has also travelled over nearly all of the United States, of the North, of Ohio, Kentucky, Indiana, Illinois, Missouri, Louisiana, &c. which are certainly, in relation to soil, climate, and productions, entitled to the favorable opinion which has often been expressed in regard to them ; but he unhesitatingly says, that in goodness of soil, in the extent and variety of her productions, in the amenity of her climate, in local and commercial advantages, in short, in every thing which conduces to the convenience and comfort of man, Texas has a decided preference to any new country the writer of this has ever seen.

NEW-YORK, December 30th, 1831.

A. L.

# COLONIZATION LAWS

## OF THE

### UNITED MEXICAN STATES, &c.

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#### *Protection by Government.*

Art. 1. The government of the Mexican Nation will protect the liberty, property, and civil rights of all foreigners, who profess the Roman Catholic religion, the established religion of the empire. Law of the 4th January, 1823.

Art. 1 & 2, of the Law of the 4th August, 1824, *same*.

Art. 1, of the Colonization law of Coahuila and Texas, 24th March, 1825, *same*.

Art. 9, of the Law of Mexico, dated 6th of April, 1830, forbids foreigners entering from the Northern frontier without passports.

Art. 11, of same act, prohibits citizens of foreign countries, lying adjacent to the Mexican Territory, from settling as colonists in the states or territories adjoining such countries, and suspends contracts not executed, opposed to such article, &c.

Art. 1 & 2, of instructions to Commissioner of 4th September, 1827, requires certificates of their religious character, &c. from the local authority, without which they cannot be admitted; and the Empresario must give his opinion of the sufficiency of said certificates—their genuineness, &c.

#### *Distribution of Lands.*

Art. 2. The Executive will distribute lands to settlers under the terms and conditions herein expressed. Laws of Mexico, 4th January, 1823, see also, Law of the 18th August, 1824, *same*.

Art. 4, of the laws of Coahuila and Texas, passed 24th March, 1825, provides, that after a foreigner has made a declaration of his wish to become a settler in due form, as directed in section 3, and taken on oath to support the Constitution of the General and State Governments, &c., he is at liberty to designate any vacant land, and the *Political Authority* will grant it to him, in the same manner as to a native of the country, to be approved by the Government.

#### *Quantity, &c.*

Art. 16. Families or unmarried men, who entirely, of their own accord have emigrated, and may wish to unite themselves to any

new towns, can at all times do so, and shall receive, provided that his sole occupation is cultivation of land, one *labor*; should he also be a *stock raiser*, grazing land shall be added to complete a *sitio*; and should his only occupation be raising of *stock*, he shall receive a superficies of land, *equal* to twenty four million square bars. By Art. 15, of the same act, *unmarried* men shall receive the same quantity, when they enter the matrimonial state, and foreigners who marry *native* Mexicans, shall receive one-fourth more. Those who are entirely *single*, can receive only one-fourth as much, until they marry. The government can augment the quantity of land, in proportion to family, industry, and activity of the colonists. And, by Art. 18, families who emigrate in conformity to the 16th Art. shall immediately present themselves to the *Political Authority* of the place, which they have chosen for their residence, who, finding the legal requisites, shall admit them and put them in possession of the corresponding lands, and by means of themselves or a commissioner, will issue them a title.

Art. 3, 16, & 18, of the Law of Coahuila and Texas, of the act of the 24th March, 1825, *the same*. Also, Art. 4, of the Law of Mexico of the 4th January, 1823, *same*.

Mechanics are entitled to town lots gratis, by Art. 15, of the law 27th September, 1827.

#### *Sale by Government.*

By Art. 24, of the law of Coahuila and Texas, passed 24th March, 1825, Government will sell to Mexicans, *and to them only*, such lands as they may wish to purchase, not more than *eleven sitios*, and under the condition that the purchaser cultivate, what he acquires by this title, within six years, from its acquisition, under the *penalty* of losing them; the price of each sitio, subject to the foregoing condition, shall be one hundred dollars, if it be pasture land; one hundred and fifty dollars if it be farming land, without the facility of irrigation; and two hundred and fifty dollars, if it can be irrigated.

Art. 36. Building lots in new towns shall be given gratis to the contractors of them, and also to artists of every class, as many as are necessary for the establishment of their trade; and to other settlers they shall be sold at *Public Auction*, to be paid for in six, twelve, and eighteen months; but all owners of lots shall *annually* pay one dollar for each lot, which, together with the produce of the sales, to be applied to building churches in said town. And by the instruction to the commissioners of the 4th of Sept., 1827.

Section 15. An artist is to receive in a new town, *one lot*, subject to draft, and the Empresario two, without draft. Should there be a number of applicants for the same lot, it shall be decided by draft.

#### *Colonization Laws.*

Art. 3, of the act of the Mexican Congress of the 18th of August, 1824, declares that the Legislature of all the states, will, as

soon as possible, form Colonization Laws, or regulations for their respective States, conforming themselves, in all things, to the constitutional act, general constitution and regulations, established by law, and by the law of the 6th of April, 1830.

Section 18. The Mexican Congress decree, that the government shall form a system, for the regulation of the new Colonies, and shall, within one year, lay before Congress an account of the colonists, established under this law. The Congress of Coahuila and Texas, formed their Colonization Laws, 24th March, 1825.

*Not to Colonize within twenty leagues of the limits of a Foreign Nation.*

By Art. 4, of the Law of the Mexican Congress of the 18th August, 1824, there cannot be colonized any lands within twenty leagues of the limits of any foreign nation, nor within ten leagues of the coast, without the previous approbation of the General Supreme Executive Power.

Art. 7. The Act of the Legislature of Coahuila and Texas of the 24th March, 1825, and the 5th Art. of instruction to the Commissioner of the State, dated 4th September, 1827, the same.

*Empresarios and Contractors.*

Art. 3, of the act of the Mexican Congress, of the 4th of January, 1823, provides, that Empresarios who shall introduce at least two hundred families, shall previously contract with the Executive, inform him of their resources, and business to be pursued, to enable the Executive to designate the province, &c.

Art. 19. To each Empresario, who introduces and establishes two hundred families, shall be granted at the rate of three haciendas, and *two labors*, (equal to about 66,775 acres,) but he will lose the right of property over said land, unless populated and cultivated in twelve years from the date of concession. The premium cannot exceed *nine haciendas and six labors*, whatever may be the number of families he introduces, (equal to 200,324 acres.) By

Art. 20. The proprietors of said lands at the end of twenty years must *alienate* two-thirds of the same by sale, or in any other manner they please. And by

Art. 21. The provision contained in articles nineteen and twenty, are understood as governing contracts made in six months from the 4th January, 1823, after that time the Executive can diminish the *premium* as he may deem proper.

Art. 8, of the Law of Coahuila and Texas, passed 24th March, 1825, provides, that in projects for new settlements, in which one or more persons offer to bring at their own expense one hundred or more families, shall be presented to the Government, and if found conformable to this law, they will be admitted, and the Government will immediately designate to the contractors the land where

they are to establish themselves, and the term of six years, within which they must present the number of families they contracted for, under the penalty of losing the rights and privileges offered in their favor, in proportion to the number of families, which they fail to introduce, and the contract totally annulled, if they do not bring at least one hundred families. By

Art. 12, of the same Law, the contractor or contractors for the establishment of a new settlement is, entitled to five sitios of grazing land, and five labors, (equal to 23,025 acres,) at least for each hundred families, which he may introduce, the one half of which shall be without the facility of irrigation, and they can only receive this premium for eight hundred families, (equal to 184,200 acres.)

*Mexican measure of Land.*

Art. 5, of the Law of the Mexican Congress of the 4th of January, 1823, establishes the measure of land as follows: The *vara*, at three geometrical feet, (equal to  $33\frac{1}{3}$  inches,) a straight line of five thousand varas, shall be a league, (square varas, equal to 4629 yards, 1 foot,  $10\frac{2}{3}$  inches, or  $2\frac{632}{1000}$ , or 2 miles, 201 rods, 12 feet, 4 inches.) A square, each of whose sides shall be one league, shall be called a sitio, (twenty-five million square varas is a sitio, (equal to  $4428\frac{40}{1000}$  acres,) five sitios shall compose one hacienda, (equal to  $22,140\frac{200}{1000}$  acres.)

Art. 7. A labor is one million square *varas*, or one thousand *varas* on each side. See, also,

Art. 11. Of the act of the Congress of Coahuila and Texas, passed 24th March, 1825, *same*.

*Establishments under former Governments.*

By Art. 10, of the Law of the Mexican Congress of the 4th of January, 1823, establishments made under the former government, which are now pending, shall be regulated by this law in all matters that may occur, but those that are finished, shall remain in that state. And by

Art. 31. Of the same law, all foreigners, who may have established themselves in any of the provinces of the Empire, under the permission of the former government, will remain on the lands which they may have occupied, being governed by the tenor of this law in the distribution of said lands.

*Government will cause lands to be Alienated.*

By Art. 11, of the law of the 4th of January, 1823, of the Mexican Republic, government will adopt measures for dividing out the lands, which have accumulated in large portions, in the hands of individuals or corporations, and which are not cultivated, indemnifying the proprietors for the just price of such lands, to be affixed by appraisers. And by

Art. 20, of the same law, proprietors who have acquired their lands as a *premium* for the introduction of settlers, must alienate

two-thirds of their land by sale or otherwise, as they please, at the end of twenty years from the concession. Vide title *Empresarios and Contractors*.

*Villages, Towns, and Cities.*

Art. 12, of the law of the 4th January, 1823, the union of many families at one place, shall be called a village, town, or city, agreeably to the number of its inhabitants, its extension, locality, &c.; and the same regulations for its government and *Police* shall be observed, as in others of the same class in the Empire. By

Art. 34, of the laws of Coahuila and Texas, of the 24th March, 1825, towns shall be founded on the sites deemed most suitable by the government, or the person commissioned for that effect, and for each one there shall be designated *four square* leagues, whose area may be in a regular or an irregular form, agreeably to the situation. By

Art. 35. If any of the said sites should be the property of an individual, and the establishment of new towns on them, should notoriously be of general utility, they can, notwithstanding, be appropriated to this object, previously indemnifying the owner for its just value, to be determined by appraisers. In Coahuila and Texas, by a law of the 4th of September, 1827, appointing a Commissioner, it becomes his duty to select all sites for towns in the aforesaid states.

*Streets.*

By Art. 13, of the Law of the Mexican Republic of the 23d January, 1823, streets are to be laid straight, running East and West, North and South; and by Art. 14, the streets must be twenty varas wide. See, also, Art. 37 and 38, of the Colonization law of Coahuila and Texas, of the 24th March, 1825, to same effect.

*Public Squares.*

By Art. 12. Of instruction to the Commissioner by act of the Legislature of Coahuila and Texas, of the 4th of September, 1827, in all new towns, there shall be designated a public square, which shall be one hundred and twenty varas on each side, exclusive of streets, which shall be called *principal*, or constitutional square, and this shall be the central point from which the streets shall run for the formation of squares and blocks.

Art. 13. The block situated on the East side of the principal square, shall be destined for the church, curate's house, and other ecclesiastical buildings. The block on the West side of said square, for public buildings of the municipality. In some other suitable situation, a block shall be designated for a *market square*. Another for a *jail* and house of *correction*. Another for a school, and other edifices for public instruction; and another beyond the limits of the town, for a burial-ground.

*Provinces.*

By Art. 14. of the law of the Mexican Republic, of the 4th January, 1823, provinces shall be formed, whose superficies shall be six thousand *square leagues*. Government will colonize agreeably to the act of the 18th August, 1824.

*When Towns are formed, how regulated, &c.*

By Art. 15, of the law of the Republic of Mexico, of the 4th January, 1823, as soon as a sufficient number of families may be united to form one or more towns, the local government shall be regulated, and the constitutional Ayuntamientos, and other local establishments, formed in conformity with the laws. By

Art. 40. Of the law of Coahuila and Texas, passed 24th March, 1825, as soon as *forty* families are united in one place, they shall proceed to the formal establishment of the new towns, and all of them shall take an oath to support the general and state constitution, which oath shall be administered by the Commissioner, they shall then, in his presence, proceed to the election of their municipal authority.

*When to elect an Ayuntamiento.*

By Art. 41, of the law of Coahuila and Texas, of the 24th of March, 1825, a new town, whose inhabitants shall not be less than two hundred, shall elect an Ayuntamiento, provided there is not another one established within eight leagues, in which case, it shall be added to it. The number of individuals which are to compose the Ayuntamiento, shall be regulated by the existing laws. By

Sec. 42. Foreigners are eligible, subject to the provisions, which the constitution of the state prescribe, to elect the members of their municipal authorities, and to be elected to the same.

*Spiritual Pastors.*

By Art. 16. Of the law of the Mexican Congress, of the 4th January, 1823, the government shall take care, in accord with the respective ecclesiastical authorities, that new towns are provided with a sufficient number of *spiritual pastors*, and in like manner, it will propose to Congress a plan for their decent support. And

Art. 45. Of the law of Coahuila and Texas, of the 24th March, 1825, is the same.

*Preference to colonists who first arrive.*

By Art. 17, of the law of the 4th January, 1823, of the Mexican Republic, as a general rule, colonists who arrive first, shall have the preference; but by Art. 18, of the same act, Mexicans shall have the preference to the distribution of land, and particularly the military of the three guarantees, in conformity with the decree of the 27th March, 1821, and also those who served in the first epoch of the insurrection. By

Art. 9, of the act of the Mexican Congress of the 18th August, 1824, Mexican citizens have a preference in the distribution



of land, but no distinction shall be made among them, except that which is founded on individual merit, or services rendered the country, or under equal circumstances, a residence in the place where the lands to be distributed are situated.

### *Military.*

By Art. 10, of the Act of the Mexican Congress of the 18th August, 1824, the military, who in virtue of the offer made on the 27th March, 1821, have a right to lands, shall be attended to by the states, in conformity with the diplomas which are issued to that effect by the supreme Executive power.

Art. 10, of the law of Coahuila and Texas, gives preference to military and Mexicans.

### *Date of concession determines the right to Property.*

By Art. 22, of the law of the 4th of January, 1823, of the Mexican Congress, the date of the concession furnishes and constitutes an inviolable law for the right of property, and legal ownership. Should any one, through error, or by subsequent concession, occupy land belonging to another, he shall have no right to it, further than a preference in case of sale, at the current price. But by Art. 21, of the law of Coahuila and Texas of the 24th March, 1825, if by error of concession, any land shall be granted belonging to another, on proof being made of that fact, an equal quantity shall be granted elsewhere, to the person who may thus have obtained it through error, and he shall be indemnified by the owner of such land for any improvements he may have made, the just value of such improvements shall be ascertained by appraisers.

### *Cultivation.*

By Art. 23, of the law of the Mexican Republic of the 4th January, 1823, if after two years from the date of the concession, the colonist should not have cultivated his lands, the right of property shall be considered as renounced, in which case, the respective Ayuntamiento can grant it to another. By

Art. 24, of the law of Coahuila and Texas of the 24th March, 1825, lands sold to Mexicans must be cultivated in six years, under the penalty of losing them. And by Art. 26, of the same act, the new settlers, who, within six years from the date of the concession, have not cultivated or occupied the lands granted them, according to its quality, shall be considered to have renounced them, and the respective political authority shall proceed to take possession of them and recall the titles.

### *Taxes, Tithes, &c.*

By Art. 24, of the law of the Mexican Republic of the 4th January, 1823, during six years from the date of the concession, the colonists shall not pay tithes or duties on their produce, nor any contribution under whatever name it may be called. By

Art. 25, of the same law, the next six years from the same

date, they shall pay half tithes and the half of the contributions, whether direct or indirect, that are paid by the other citizens of the empire. After this time, they shall in all things, relating to taxes and contributions, be placed on the same footing with the other citizens. By

Art. 32, of the law of Coahuila and Texas, of the 24th March, 1825, colonists during the first *ten years*, counting from the day of the establishment of the new settlement, shall be free from all contributions of whatever denomination, except such as are generally imposed, in case of invasion or to prevent it; and all the produce of agriculture or industry of the new settlers, shall be free from excise, &c., but subject, after that period, like all others in the state. By

Art. 33. From the day of their settlement, they can pursue any branch of industry, and can work mines, &c. subjecting themselves to the usual taxes, &c. on that branch of industry.

Art. 43. Municipal expenses, and all others, which may be considered necessary for the new towns, shall be proposed to the government by the Ayuntamiento, and if approved by the Legislature, order it executed, &c.

*Citizenship and Naturalization.*

By Art. 27, of the law of the Mexican Republic, of the 4th January, 1823, all foreigners, who come to establish themselves within the empire, shall be considered as naturalized; should they exercise any useful profession or industry, by which at the end of three years, they have a capital to support themselves with decency and are *married*. Those, who with the foregoing qualifications, marry Mexicans, will acquire particular merit for the obtaining letters of citizenship.

Art. 28. Congress will grant letters of citizenship to those who solicit them, in conformity with the constitution of the empire.

Art. 31. *Foreigners* who established themselves under a former government, are entitled to the same privilege, and will remain on their lands, being governed by the tenor of this law in the distribution of lands. And by Art. 31, of the law of Coahuila and Texas, having obtained land and established themselves, are from that moment considered naturalized in the country.

*Colonists domiciliated out of the limits of the Republic, loses title to their lands.*

By Art. 15, of the law of the Mexican Republic, of the 18th August, 1824, a person, who by virtue of this law acquires a title to lands, cannot hold them if he is domiciliated out of the limits of the Republic.

*Contracts with Empresarios guaranteed by law.*

By Art 14, of the law of the Republic of Mexico, of the 18th August, 1824, contracts which the empresarios make with the

families which they bring at their own expense, this law guarantees.

Art. 9, of the law of Coahuila and Texas of the 24th March, 1825, guarantees all contracts made by contractors, undertakers, or empresarios, with families brought at their expense, so far as they are conformable with its provisions.

*Alienation of Lands.*

By Art. 29, of the law of the 4th January, 1823, of the Mexican Republic, every individual shall be free to leave the empire, and can *alienate* the lands over which he may have acquired the right of property, agreeably to the tenor of the law of the 4th January, 1823, and he can likewise take away from the country all his property by paying the duties established by law. By

Art. 27, of the law of Coahuila and Texas, passed 24th March, 1825, the contractors and military, heretofore spoken of, and those who by purchase, have acquired lands can alienate them at any time, but the successor is obliged to cultivate them in the same time that the original proprietor was bound to do. The other settlers can alienate theirs when they have totally cultivated them, and not before. By

Art. 28, of the same law, by *testamentary will*, in conformity with the existing laws, or those which may govern in future, any new colonist, from the day of his settlement, may dispose of his land, although he may not have cultivated it, and, if he dies *intestate*, his property shall be inherited by the person or persons entitled by the laws to it; the heirs being subject to the same obligation and condition imposed on the original grantee. By

Art. 30, of the same law, the new settler who wishing to establish himself in a foreign country, resolves to leave the territory of the state, can do so freely, with all his property; but after leaving the state he shall not any longer hold his land, and if he had not previously sold it, or the sale should not be in conformity with the 27th article, it shall become entirely vacant.

*Lands shall not pass into Mortmain.*

By Art. 29, of the act of Coahuila and Texas, of the 24th March, 1824, lands acquired by virtue of this law, shall not, by any title whatever, pass into mortmain. And by

Art. 13, of the act of the Mexican Republic, of the 18th August, 1824, the new colonists shall not transfer their property in mortmain.

*Articles not Dutiable.*

By Art. 26, of the Law of the Mexican Republic of the 4th January, 1824, all the instruments of husbandry, machinery, and other utensils that are introduced by the Colonists for their use, at the time of their coming to the empire, shall be free, as also the merchandize introduced by each family, to the amount of \$2000.

By Art. 12, of the Law of the Mexican Republic, of the 6th of

April, 1830, for and during the term of four years, the coasting trade shall be free to Foreign vessels for transportation of produce of the Colonists, to the ports of Matamoras, Tampico, and *Vera Cruz*; and by Art. 13, of the same act, for and during the term of two years, the introduction of *frame houses*, and of every kind of foreign provisions, shall be admitted into the ports of Galveston and Matagorda free of duty.

*No Slavery.*

By Art. 30, of the Law of the Mexican government, of the 4th January, 1823, after the publication of said Law, there can be no sale or purchase of Slaves, which may be introduced into the Empire. The children of slaves, born in the empire, shall be free at fourteen years of age. By the Laws of Coahuila and Texas, passed 24th March, 1824, Art. 46, new settlers, as regards the introduction of slaves, shall subject themselves to the existing Laws, and those which may hereafter be established. And by a Law of the Congress of Coahuila and Texas, passed the 23d of March, 1831, there shall be formed in each town a *Register* of the *Slaves*, with a statement of their ages, names, and sexes.

Art. 2d. A *Register* shall be kept of the birth of children of slave parents, since the publication of the Constitution, giving an account thereof to the government every three months. And in like manner an account of the death of slaves.

Art. 4. Importers of slaves, after the expiration of the time mentioned in the 13th Art. of the Constitution, (11th September, 1827,) will be subject to the penalties established by the General Law of the 13th July, 1824.

Art. 5. Slaves are free on the death of their owner, who has no lineal heirs, (except owners are poisoned or assassinated by one of the slaves.) And in case of descent by lineal heirs, one-tenth are free; to be determined by lot. By

Art. 9, the free children of slaves shall receive a good education, and be bound out to trades by the Ayuntamiento; and by Art. 10, a fine of \$500 is imposed on the Ayuntamiento who neglects to see the law enforced.

By Art. 10, of the General Law of the Mexican Republic, of the 6th April, 1830, no change can be made with respect to Colonies already established, nor slaves they contain, but the prevention of the further admission of Slaves shall be exacted under the strictest responsibilities.

*Settlers not to hold more than Eleven Leagues.*

By Art. 12, of the Law of the Mexican Republic, of the 18th August, 1824, it shall not be permitted to unite in the same hands, with the right of property, more than *one league square* of land suitable for irrigation; four square leagues in superficies of arable land, without the facilities of irrigation, and six square leagues in superficies of grazing land.

*Indians.*

By Art. 19, of the Law of Coahuila and Texas, of the 24th March, 1825, *Indians* of all Nations, bordering on the State, as well as wandering tribes within its limits, shall be received in the market, without paying any duties on the products of the country; and if they declare in favor of our religion and institutions, they shall be entitled to the same quantity of land as spoken of in the 14th and 15th articles, always *preferring* native Indians to strangers.

*Titles to Land—How obtained.*

By Art. 4, of Instructions to Commissioner appointed by the State, on the 4th September, 1827, the said Commissioner shall issue, in the name of the State, the titles for lands in conformity with the law, and put the new Colonists in possession of their lands with all legal formalities, and the previous citation of adjoining proprietors, should there be any.

*Records of Land.*

By Art. 8, of Instructions to Commissioner, of the 4th September, 1827, the Commissioner shall form a manuscript book of paper of the 3d stamp, in which shall be written the titles of lands distributed to the Colonists, specifying the names, the boundaries, and other requisites and legal circumstances, and a certified copy of each title shall be taken from said book of the 2d stamp, which shall be delivered to the interested person, as his title. The settler to pay the value of the stamp paper both for the original and copy.

Art. 10. This book shall be preserved in the archives of the new Colony, and an exact *form* of it shall be transmitted to the government, with every legal requisite.

*Two Witnesses.*

By Art. 26, of Instruction to the State Commissioner, of the 4th September, 1827, all public instruments, titles, or other documents, issued by the Commissioner, shall be attested by two assistant witnesses.

*Surveyors appointed by Commissioner.*

By Art. 7, of Instruction to Commissioner, of the 4th September, 1827, the Commissioner shall appoint, under his own responsibility, the surveyor, who must survey the land scientifically, under oath, &c.

Art. 6. The Commissioner shall take care that no vacant lands be left between possessions; and in order that the lines of each may be clearly designated, he shall compel the Colonists, within the term of one year, to mark their lines, and to establish fixed and permanent corners.

*Houses to be constructed within a limited time.*

By Art. 18, of Instruction to Commissioner, of the 4th September, 1827, he shall cause the holders of Town lots to construct houses on said, lots within a limited time, under the penalty of forfeiting them.

*Amount to be paid by New Settlers to the State.*

By Art. 22d, of the Law of Coahuila and Texas, of the 24th of March, 1825, as an acknowledgement, the new settler shall pay to the State for each *Sitio* of pasture land, \$30; two dollars and a half for each *Labor*, without the facility of irrigation, and \$3.50 for each one that can be irrigated, and so on, proportionally, according to the quantity and quality of the land distributed; to be paid, one-third in four, one-third in five, and one-third in six years, under the penalty of losing the land on failure of either payment. (Are excepted from this payment the *Contractors*, on account of their premium, and the *Military*, for lands obtained by their Diplomas.) The payments above referred to, to be made to the *Ayuntamiento*, &c.

By Art. 25, of the same law, the price cannot be altered by the Legislature, nor as regards the quantity and quality, under six years.

*Fees of Commissioner and Surveyor.*

The Governor, by Art. 39, of the Act of the Legislature of Coahuila and Texas, of the 24th March, 1825, designates the fees of the Commissioner, who, in conjunction with the Colonists, shall fix the Surveyor's fees, both to be paid by the Colonist.

*Executive may Sell or Lease Lands.*

By Art. 32, of the Law of the Mexican Republic, of the 4th of January, 1823, the Executive, as it may deem necessary, will sell or lease the lands, which, on account of their local situation, may be the most important, being governed in respect of all others, by the provisions of this law.

*Government may use Lands for National Defence.*

By Art. 5, of the Law of the Mexican Republic, of the 4th January, 1823, should the government deem it necessary to use any of the coast or border lands for the construction of warehouses, arsenals, or any other public edifice, they can do so, with the approbation of the General Congress, or in its recess, of the Council of Government. And by the law of the Mexican Congress, of the 18th August, 1824, the Executive is empowered to take possession of (any) lands (in new colonies) as may be suitable for fortifications and arsenals for new colonies, indemnifying the State by a deduction from the debt due by such State to the Federation.

*Commissioner to preside at all Popular Elections.*

By Art. 23, of Instruction to Commissioner, by the law of Coahuila and Texas, of the 4th September, 1827, the Commissioner is to preside at all popular elections mentioned in the 40th Art. of the Colonization Law, for the appointment of the *Ayuntamiento*, and shall put the elected in possession of their offices.

*Ferries.*

By Art. 21, of the Law of Coahuila and Texas, of the 4th September, 1827, the Commissioner shall see that on the crossing of

each of the rivers on the public roads where a town is founded, a Ferry is established at the cost of the inhabitants of said town, a moderate rate of ferriage shall be established to pay the salary of the ferryman and the cost of necessary boats, and the balance shall be applied to the public funds of the town.

By Art. 22d, in places where there are no towns, and where Ferries are necessary, the Colonist who is settled there shall be charged with the establishment of the Ferry, collecting a moderate ferriage until such Ferry is rented out for the use of the State.—He shall form an exact and certified account of all expenses, and also of the amount received—and if he has not received the amount disbursed, he is entitled to receive the balance due him when the Ferry is surrendered to the State.

*Spanish Language.*

By Art. 26, of Instruction to Commissioners, by the Act of the Legislature of Coahuila and Texas, of the 4th September, 1827, all public instruments, titles, or other documents issued by the Commissioner, shall be written in *Spanish*, the memorials, reports, and decrees of the Colonists, or Empresarios, on any subject whatever, shall be written in the same language, whether they are to be transmitted to government or preserved in the archives of the colony.

*Mexican Families.*

By Art. 7, of the Act of the Mexican Congress, of the 6th April, 1830, Mexican Families who may voluntarily desire to become Colonists, shall be conveyed free of expense, subsisted during the first year, and receive a grant of land and the necessary implements of husbandry. They must conform to the laws of Colonization of the Federation and State in which they are settled.

*Convicts removed to New Colonies.*

By Arts. 5 and 6, of the Law of the Mexican Republic, of the 6th of April, 1830, Government may cause such number of convicts, destined for Vera Cruz and other places, as it may deem proper to be conducted to the colonies it may establish, to be employed in building fortifications, public buildings, and roads, which the respective Commissioners may deem necessary, and at the expiration of service shall be furnished with land, if he desire to become a colonist, subsistence for one year, and implements of husbandry: and will pay the expense of such families as may desire to accompany them.

*Government to appoint Agents to visit New Colonies.*

By Art. 3d, of the Laws of Mexico, of the 6th April, 1830, the Government shall appoint one or more Commissioners to visit the Colonies of the frontier States; to contract with the Legislatures of those States for the purchase, by the Nation, of lands for the establishment of New Colonists of Mexicans and Foreigners; to make arrangements for the security of the Republic with the Colo-

nies already established ; to watch over the exact compliance of the contracts on the entrance of new colonies, and to investigate how far the contracts already made have been complied with.

*Foreigners.*

By Art. 7, of the law of the Mexican Republic, of the 18th of August, 1824, until after the year 1840, the General Congress shall not prohibit the entrance of any foreigner, as a colonist, unless imperious circumstances should require it, with respect to the individuals of a particular nation.

By Art. 8, of the same law, Government, without prejudicing the objects of this law, shall take such precautionary measures as it may deem expedient for the security of the *confederation*, as it respects the foreigners who come to colonize. By the law of the Mexican Congress, of the 6th of April, 1830, Art. 11, in exercise of the right reserved by the 7th article of the law of the 18th August, 1824, the citizens of *Foreign countries*, lying adjacent to the Mexican territory, are prohibited from settling as colonists in the states or territories of the Republic adjoining such countries.— See also articles 5 and 6, of the law of Coahuila and Texas.

*Government authorised to expend \$500,000 for Fortifications.*

By Art. 14, of the law of Mexico, of the 6th of April, 1830, the government is authorised to expend five hundred thousand dollars on the construction of fortifications and public buildings on the frontier, in the transportation of convicts and Mexican families to the new colonies, in the subsistence of such during one year, in implements of husbandry, transportation of troops, and premiums to agriculturalists who may distinguish themselves in the colonies, and for the general purpose contemplated by the foregoing articles. The twentieth part of duties received on coarse cotton goods, shall be employed to encourage cotton manufactories, by purchasing looms, machinery, &c., by furnishing small sums to aid in their establishment, to be apportioned among the States where this branch of industry exists, to be placed at the disposition of the Minister of Marine.

*Executive can grant Lands to the Military.*

By Art. 10 of the law of Mexico, of the 18th of August, 1824, the military, who, in virtue of the offer made on the 27th March, 1821, have a right to lands, shall be attended to, by the States, in conformity to the diplomas which are issued to that effect by the Supreme Executive Power ; and by Art. 11, of the same act, in virtue of the last article, and taking into consideration the probability of life, the Supreme Executive Power should deem it expedient to alienate any portion of lands in favor of any officer, civil or military, of the *Federation*, it can do so from the *vacant lands* of the territories.

*Public Works.*

Art. 44, of the law of Coahuila and Texas, of the 24th March,



1825. For the opening and improving of Roads, and other *Public Works*, in Texas, the government will transmit to the chief of that department, the individuals who, in other parts of the State, may have been sentenced to public works as vagrants, or for other crimes, and as soon as their term of condemnation has expired, they can unite themselves as settlers, and obtain lands, if within the opinion of the Political Chief their reformation has made them worthy of such favor, without whose certificate they shall not be admitted. By

Art. 47, of the same act, families, who may be established within the limits of this State without any land assigned them, shall subject themselves to this law, and to the orders of the Supreme Government of the Union, with respect to those who are within twenty leagues of the United States of America, and ten leagues in a straight line from the Gulf of Mexico.

### LAWS OF MEXICO, of the 12th MARCH, 1828.

*Relating to Passports and the mode of Foreigners, not naturalized, holding Real Estate.*

Art. 1. That foreigners may be enabled to enter and pass through the Mexican territory, it is necessary that they obtain passports from the general government.

Art. 2. The Executive by means of a decree, shall prescribe such regulations as it may deem expedient for the granting and revision of passports, and designate the officers who shall issue them.

Art. 3. Foreigners who may have introduced themselves without passports, must present themselves within ten days, counting from the publication of this law in the places of residence, to the principal civil authority of said place, who shall take a note of the object of their coming to the country and of their occupation.

Art. 4. The said (local) Civil authorities shall report to the Governors of States, the Federal District or Territories, who shall issue the necessary passports in conformity with the rules prescribed by the general government, to which a detailed report will be made of the foreigners, who may have presented themselves, the object of their visit, their occupations, the passports that may have been issued, and the persons to whom they were refused, in virtue of the rules prescribed by the General Government.

Art. 5. The foreigners, who fail to comply with the provisions of the last article shall be expelled from the Republic. It being however discretionary with the Executive to extend the term of ten days mentioned in the 3d article to twenty-five days.

Art. 6. The foreigners introduced and established in conformity with the rules prescribed, or which may be prescribed in future are under the protection of the laws and shall enjoy the civil

rights granted by said Laws to Mexicans, with the exception of acquiring real estate, which agreeably to the existing laws cannot be held by persons who are not naturalized.

Art. 7. The exception in the last article does not comprehend the lands belonging to the Mining establishments which may be necessary to comply with the Law of the 6th of October, 1823, relative to acquiring shares in the mines.

Art. 8. The law of colonization of the 18th of August, 1824, shall remain in force.

Art. 9. Also foreigners not naturalized may purchase and colonize lands belonging to individuals as private property, but to do so a special permission must be obtained from the general Congress: should the purchase be in the federal district or territories, and from the Legislature of the State, should it be within the limits of a State.

Art. 10. The Legislature of a State can grant or refuse the permission which is asked for, and in the former case, shall impose such conditions as may be deemed expedient, specially stipulating the following, which shall be the basis of all contracts of the kind, and which may be restricted by the Legislatures, but not extended; 1st, the 4th part of the Colonists must be Mexicans; 2d, within seven years the land must be divided into small tracts, to be determined by the Legislature; 3d, the Empresario who is not naturalized cannot reserve for himself a tract which shall exceed sixteen square Leagues which he must alienate within 12 years, counting from the time when the small tracts above mentioned must be laid off. The said small tracts must also be alienated in the same time.

Art. 11. Real property, acquired by foreigners not naturalized, in contravention of this law, can be denounced by any Mexican, to whom it shall be given, on establishing the fraud or violation of the law.

Art. 12. The General Government and the Governors of the States shall religiously observe in the execution of this law, all the provisions in the Treaties, which have been, or which may be made, with foreign nations.

Approved, Mexico, March 12th, 1828.

*Translation of the law prescribing the mode of obtaining the rights of Citizenship passed by the National Congress, April, 14th, 1828.*

Art. 1. Any foreigner who has resided within the limits of the United Mexican States for two consecutive years, can petition for a letter of naturalization in conformity with the provisions of this law.

Art. 2. To obtain it such person must produce legal evidence to the (federal) Judge of the district, or of the Circuit most con-

tiguous, previously submitting it to the Attorney General (*promoter fiscal*) if it be presented to the Circuit Court, and to the Sindico of the Ayuntamiento, if to the district court, which evidence must accredit that the petitioner is—first, an Apostolic Roman Catholic, or produce a certificate of Baptism, which proves it; secondly, that he has some useful occupation, trade, or income sufficient to maintain him, and the witnesses must expressly state the kind or description of occupation, trade, or income. 3dly, that his moral character is good.

Art. 3. The person, wishing to petition for naturalization, must present a declaration, one year previously in writing, to the Ayuntamiento of the place where he resides, stating his intentions to settle permanently in the country. A certified copy of this declaration must accompany the documents mentioned in the preceding article.

Art. 4. The applicant will present these documents to the governor of the state, or the principal political chief of the federal district or territories of the federation, and ask for a letter of naturalization.

Art. 5. The petition asking for the letter of naturalization must contain, 1st, an express renunciation of all submission and obedience to any foreign nation or government whatever, and particularly to that which he was formerly a subject. 2nd, that he also renounces all titles, decorations, (*condecorativo*) or privileges which he may have obtained from any other government. 3d, That he will sustain the constitution, the constitutional acts, and the general laws of the United Mexican States.

Art. 6. These conditions being complied with, the Governor of the State, or the principal political chief of the district or territory, will issue a letter of naturalization, agreeably to the form which accompanies this law.

Art. 7. An absence to a foreign country, with a passport from the Government, shall cause no intermission in the consecutive residence of the applicant, provided such absence does not exceed eight months.

Art. 8. The wife and children shall be considered as naturalized with the head of the family, provided the latter are not emancipated.

Art. 9. The children of Mexican Citizens, born out of the nation shall be considered as born within it.

Art. 10. The right of naturalization shall not descend to the children of those who have never resided within the Mexican territory.

Art. 11. The children of foreigners, born within the Mexican territory, can obtain letters of naturalization, provided they apply to the Governor of the State, district, or territory, where they reside, within one year next after their emancipation.

Art. 12. Naturalization in a foreign country and the acceptance of an employ, compensation, commission, or order of nobility, from any other Government shall forfeit the rights of naturalization.

Art. 13. Every *Empresario* who comes for the purpose of colonization, in conformity with the general law and the law of the respective state, and who accomplishes that object, shall have the right of asking for a letter of naturalization which, shall be granted, on taking an oath to observe the constitution and laws.

Art. 14. The Colonists, who come to settle within the lands that can be colonized, shall be held as naturalized, after one year from their establishment.

Art. 15. Foreigners in the navy, as marines or sailors, or who are naturalized in it, and declare before the nearest political authority their desire to become naturalized, shall be considered on taking the oath, (in common form, &c. naturalized.)

Art. 16, relates to the duty of the officer, taking the deposition of the parties, &c.

Art. 17. No letters can be granted to subjects of belligerents.

Art. 18. Those who may have presented themselves to the general Government up to the 1st of March, 1826, asking for letters of naturalization, shall be considered to have the necessary residence, but must comply with the other requisites of the law.

Art. 19, relates to duty of the Magistrates, &c.

Art. 20. The same.

#### FORM OF A LETTER OF NATURALIZATION.

N—— a native of —— having complied with the conditions and requisitions prescribed by the law dated —— of the general Congress regulating the mode of granting letters of Naturalization to foreigners, and having presented the documents, which accredit the same, I declare the said N—— by these presents Naturalized in the United Mexican States by virtue of the authority conferred by said law, date, &c.

Approved, 14th of April, 1828. Mexico.

#### *A Decree of Constituent Congress of Coahuila and Texas. Passed January 31, 1831.*

The Governor of the State Coahuila and Texas, to all its inhabitants know ye: that the Congress of the same State has decreed the following—

DECREE No. 164. The constitutional congress of the free, independent, and sovereign State of Coahuila and Texas, considering the evils experienced in the economical political administration of the department of Texas, by reason of its extended territory being comprehended in one *partido* only, and this being settled principally by foreign colonists dispersed over the whole; using the authority vested in it by the 8th article of the constitution, decrees the following—

Art. 1. The department of Bexar is divided into two *partidos*, establishing for a dividing line one which commencing at Point Bolivar, Bay of Galveston, and following north-westwardly in the middle between the rivers, San Jacinto and Trinity, continuing on the ridge dividing the waters of said rivers to the head of San Jacinto, and from thence following the ridge that divides the waters of the rivers Brasos and Trinity will terminate north, from the head of said Trinity, on Red River of Natchitoches.

Art. 2. The country situated east of said line, will be called the partido of Nacogdoches, being its capital, the town of the same name.

Art. 3. In the same town, or in a place where the Government may deem it most suitable, will reside a Chief of Partido whose election, renewal, authority, salary, and expenses of his office, will be in the manner and form as provided by the constitution and the existing laws, for officers of his class.

Art. 4. Said department will continue to be governed in conformity to the dispositions of this law, and to those established for the same purpose previous to this.

Art. 5. On the receipt of this law, there shall be an election held, for the purpose of electing the chief of partidior herein referred to.

The Governor of the State shall cause its compliance by printing, publishing, and circulating the same. Given in the city of Leona Vicario the 31st day of January, 1831.

JOSÉ CAYETANO RAMOS, *President*.

PEDRO DE LA FUENTO FERNANDEZ, *Dep. and Sec.*

JESUS GRANDE, *Dep. and Sec.*

Therefore I command it to be printed, published, circulated, and duly complied with. City of Leona Vicario, 31st of January, 1831.

Jose M. Veisca.—Santiago del Valle, secretary.

*Law regulating the administration of Justice in the States of Coahuila and Texas.*

*Monterei de Neuva Leon, in the year 1827.*

The governor, provisionally appointed, of the free states of Coahuila and Texas, to all its inhabitants—Know ye! that the Constitutional Congress of the same State has decreed the following:—

No. 39. The constituent Congress of the free, independent, and sovereign state of Coahuila and Texas has thought proper to decree the following law, regulating the administration of justice in the same state:—

SECTION I.

*Of the administration of justice by means of administrative provisions.*

Art. 1. Civil demands, the value of which does not exceed ten dollars, will be decided by the Alcaldes alone verbally setting

down the corresponding reasons in a book kept for that purpose of common paper.

Art. 2. When the amount of the demand exceeds ten dollars and less than one hundred, each of the interested parties will nominate a good man; and these united with the Alcaldes will determine the demand by plurality of votes, within seventy two hours.

Art. 3. In case that the three were of various opinions, they shall adopt for a definitive resolution, the opinion most favorable to the defendant, between the Alcaldes and good man of the plaintiff.

Art. 4. The resolutions which are decided, shall be set down in a book, destined for that purpose of common paper, shall be signed by the Alcalde, good man and the parties, if they are capable, and shall be executed without recourse.

Art. 5. To be a good man requires to be a citizen in the exercise of rights, and know how to read and write.

Art. 6. The infractions of laws and regulations of police, which carry with them pecuniary responsibility or personal, which does not exceed ten dollars, or three days imprisonment, or employment in public work, shall be punished equally without recourse, by verbal determinations of the Alcaldes alone; but when the punishment has to exceed the expressed, it shall be imposed by the Alcaldes, in union with two good-men (arbitrators) nominated one by the accused and the other by the accuser, if any, if not by the first Syndick-procurador, when there are two, or by the one when there is only one, observing in case of various opinions the rule adopted by the 3d article, which shall be executed irremissably in case the Alcaldes have to proceed, he will nominate the good man on the part of the parties absent.

Art. 10. With respect to vagrants, idlers, and persons without occupation, the Alcalde will proceed accompanied with the only Syndick or the first, where there are two, to receive a brief information, and verbal process of his manner of living, and if this should not be honest and regular, he shall order them arrested, and hear them verbally, and if they should not justify their conduct in concurrence with the Ayuntamiento, to whom they shall recur with the information what is verbally said by the parties arrested, they will destine them for six months to the house of correction, when there is one, or to an office, or labor of fields, under the direction and custody of the masters or mechanics; and for a second offence, they shall be destined to public labors for equal time in accord with the same Ayuntamiento.

#### SECTION II.

*Of the preparatory measures for demands that should be introduced and prosecuted in writing before the Judges of the first instance.*

Art. 11. Civil demands, whose value exceeds one hundred dol-

lars, must be instituted in writing, but for this it is necessary that the conciliation precede, which is necessary likewise in criminal demands relative to grievous injuries.

Art. 12. These conciliations shall be had before the Alcaldes, and for that purpose each one of the parties shall nominate his (*hombre bueno*) which shall be united with the respective alcaldes.

Art. 13. United, the alcalde and (*hombre buenos*) and without mixing in the allegations of the parties, they will hear as much as they wish to expound in their favor, and then retiring, these shall proceed to resolve the matter by a plurality of votes in a prudent manner which may be agreeable to the parties, and this shall be taken for a conciliatory determination, or in case of being a diversity of opinions, that which most favors the defendant, or that of the Alcalde and (*hombre buenos*) of the plaintiff.

Art. 14. When the gravity of the matter requires (in the opinion of the alcaldes and *hombre buenos*) mediation, study, or information of parties, they will give their resolution within the precise time of five days.

Art. 15. This shall be extended in a book, destined to that effect, of paper of the seal 4th, with the expression of the parties, conforming or not, with the determination, and shall be signed by the alcalde, the (*hombre buenos*) and parties, if they know how.

Art. 16. The resolution and agreement of the parties in the conciliation shall be executed without recourse, by the alcaldes themselves, and if the person against whom it should proceed, enjoys any exempting privileges, his legal judge will execute it in the same manner on evidence of the certificate, which shall be presented of the conciliation, for which use and for the other uses which the parties may require, shall be given the certificate which they ask.

Art. 17. When the alcaldes, or the citizens of the pueblo are plaintiffs or defendants, the conciliations shall be had or transacted before the first Regidor. In turn, if the alcaldes and ayuntamientos collectively are parties in a suit, the alcalde of the preceding year will exercise the functions; and if a matter of common interest to the vicinity, they shall recur to the adjoining pueblo, or most immediate pueblo, where they have not such interest. In the district where there are more than one alcalde, and one should be designated, the conciliation shall be conducted before some other one.

Art. 18. The alcaldes, and other persons who convene at the conciliations, shall not exact any fee whatever, but shall be exacted of the parties mutually if they agree, or if not the party who does not conform with the determination, shall pay four bits for costs to the secretary, and also costs of the paper.

Art. 19. In the conciliations, shall be observed likewise the privilege expressed in the 9th article to the person demanding it, may appear himself, or by attorney with special power.

Art. 20. If the person cited does not appear, he shall be cited a second time, at his cost, threatening him with a fine from one to twenty dollars according to the circumstances of the case and the person; and if still he does not obey nor show some legal cause why he does not, the act shall be taken as terminated. The alcalde shall give the actor a certificate of having attempted the conciliation, and not having effected it for failure of the defendant.

Art. 32. de la by Reglamentaria,

The Judges of the first instance will not admit demands, whether civil or criminal in writing, unless it comes accompanied with a certificate that accredits having attempted the conciliations, and that the parties did not agree thereunto.

*Supreme Government of the Free State of Coahuila and Texas.*

The Governor of the State of Coahuila and Texas to all its inhabitants, know ye! That the Congress of the same State hath decreed the following:—

Decree No. 70. The constitutional Congress of the free, independent and sovereign State of Coahuila and Texas, has thought proper to decree the following:—

Art. 1. The lands acquired by virtue of the colonization laws whether they be the general lands of the nation, or particular lands of the state by national or foreign colonist, or empresarios, shall not be subject to the payment of debts contracted previous to the acquisition of said lands, be the origin of said debts whatsoever they may be, or proceed from whensoever they proceed.

Art. 2. Until twelve years after having obtained a legal possession, the colonists and empresarios cannot be demanded, nor incommoded by the Judges for said debts.

Art. 3. After the expiration of the term prefixed by the preceding article, although they may be demanded for the said debts, they are not obliged to pay them with said lands, farming utensils, or instruments of their trade or merchandize.

The Governor of the State will have it understood for his compliance, causing it to be printed, published, and circulated. Given in the City of Liona Vicario the 13th day of January, 1829.

RAMON GARCIA RAJAZ, *President.*

JOSE MANUEL DE CARDENAS, *Deputy Secretary.*

IGNATIO SENDIJAS, *Deputy Secretary.*

Therefore I command this to be printed, published, and circulated and give the due compliment—22d of January, 1829.

JOSE MARIA VIESCA.—SANTIAGA DEL VALLE, *Secretary.*



*Law in regard to the sale of Lots and other Land in Mexico—  
as construed by Ramon Musqueiz, Governor.*

On the 24th of April, 1831, the Alcalde of Austin wrote to the Chief of Department, being the governor, on the following subject—Citizens of this department, to whom have been granted, by the Government of your Excellency, lots for building of houses, of the vacant land in the area designated for the foundation of towns, have transferred by sale the right of property in a very short time after the acquisition, and some without having settled or cultivated them. On the 14th of May, the Governor says,—

*Opinion of Ramon Musqueiz, Governor of Coahuila and Texas, in regard to the alienation of town lots and other lands granted by Government to individuals, and disposed of before settlement and cultivation.*

Resolving the doubt proposed to me, I have ordered that those citizens to whom this government have granted lands (be those of the class or quality they may) cannot alienate them before they have taken possession of them and settled thereon; in conformity with their class, and if at the time of sale the grantee had not paid the amount due to the State according to law, on account of the time of payment granted them not having expired, it must be considered as concluded at the time of making the sale, and the amount due, immediately paid. With respect to the time of settlement as allowed by the law, the time for the purchase will be that which may remain on the term granted to the seller, in order that in this manner there shall be no infraction of the law.

Signed at Goliad, 15th June 1831. RAMON MUSQUEIZ.

By a Decree of the Congress of Coahuila and Texas, dated the 27th of March, 1831. It is decreed that any person petitioning Government for Land or other Documents, requiring Stamp paper, must apply by himself or by proxy in order to secure the fees to Government, otherwise it will receive no attention.

## GALVESTON BAY AND TEXAS LAND COMPANY.

*Grant to Lorenzo de Zavala.*

The Supreme Government of the United Mexican States, having allowed the petition of Lorenzo de Zavala, to colonize, with five hundred families, the following described lands, lying within the limits of the State of Coahuila and Texas, in the Republic of Mexico, under the terms and conditions hereafter mentioned, and subject to the requirements of the Colonization laws of the State of Coahuila and Texas, which allowance having been certified to the Government of the State of Coahuila and Texas, on the 12th day of March, 1829, allowed the petition and accepted the proposal of the said Lorenzo de Zavala to colonize five hundred Mexican and foreign families, on the tract mentioned in his petition, and bounded as follows:—

Beginning at the suburbs of the town of Nacogdoches and shall follow the line by the cart road which runs through the Berreque-ras, and pass of the Chalan to Natchitoches as far as the right margin of the river Sabine, from thence it shall descend upon the margin thereof unto the point where the said river empties into the sea, and from thence a line shall be drawn to the westward along the sea shore of twenty leagues in length, and from thence another line shall ascend to the North parallel to the river Sabine, as far as the town of Nacogdoches, the place of beginning, including within these limits at the Southern part thereof the *ten* littoral leagues: the territory of the United States of the north being on the East, that of the town of Nacogdoches on the north, and the interior lands of the State on the west.

*Grant to Joseph Vehlein.*

Whereas Joseph Vehlein, by his attorney, John Lucius Woodbury, petitioned the government of the State of Coahuila and Texas, to allow him to colonize with three hundred families, to be partly composed of Germans or Swiss and of North Americans, the tract of land heretofore granted to and forfeited by Hayden Edwards; and the government having accepted his petition, did, on the 21st day of December, 1826, grant to the said Joseph Vehlein the said tract above described, on the conditions hereinafter mentioned, and bounded as follows:—

“Commencing at the village of Nacogdoches, and proceed in a southerly direction on a line parallel with the Sabine river, twenty leagues from said river, until it shall reach a land mark to be placed ten leagues distant from the coast of the Gulf of Mexico, the line shall then run westerly as far as the river St. Jacinto, from thence it shall proceed on the left bank of said river to its source, from thence it shall proceed in a line due north to the road from Bexar to Nacogdoches, from thence it shall extend along the said road to the latter place, and before reaching the river Trinity shall follow the road called ‘Loma del toro,’ and pass above this spot till its junction with the road pointed out, hence it shall extend along the said road to the said village of Nacogdoches.”

*Second Grant to Joseph Vehlein.*

Said grant, approved by the Executive of Mexico, on the 29th day of October, 1828, and by the Government of Coahuila and Texas, the 17th November, 1828, to colonize with one hundred foreign families, of German, Swiss, and English origin, a small territory on the Gulf of Mexico, near the Bay of Galveston, (without the boundary of the lands petitioned for by Colonel Pedro Elias Bean,) the government assigns the following described property for the location of the said proposed colony:—

“The boundaries shall commence on the Gulf of Mexico, at a

point on the coast, twenty leagues distant from the west side of Sabine Bay, thence a line shall run a distance of ten leagues, (or about 26 miles, 1 quarter, 17 rods, 6 feet, English,) northerly, parallel with the river Sabine, (between which line and the said river there shall always be left a space of twenty leagues broad,) at the termination of which another line shall proceed westerly, parallel with the coast at the distance of ten leagues therefrom, on the line of the grant made to the same party on the 21st of December, 1826, and passing the river Trinity shall stop on the left bank of the stream St. Jacinto till it disembogues into Galveston Bay, thence it shall run along the borders of said Bay, following the meanderings, till it reaches the sea coast, from thence it shall follow the beach to the place of beginning."

*David G. Burnet's Grant.*

Whereas David G. Burnet having presented his petition to the Executive of Coahuila and Texas, for a grant of land, (described in his petition,) in Coahuila and Texas, for the settlement of five hundred families, of good habits, industrious, and of probity, the government of Coahuila and Texas accepts his proposal, &c., and assigns to him, for the purpose of colonizing with three hundred families, with the qualifications stated in his petition, the tract of land that is comprehended within the following limits:—

"It shall begin on a line that runs from the town of Nacogdoches to the north, a distance of fifteen leagues, where (leaving free on one side the twenty boundary leagues parallel with the river Sabine and the boundary line of the United States of the North) a landmark shall be placed, and from thence shall be drawn a right line to the west, until it strikes the rivulet named Nabasoto, from thence a line shall descend upon the left margin of the said rivulet, following its course until it meets the point where said rivulet crosses the road from Bexar to Nacogdoches, from thence the line shall run on the left side of said road, and on arriving at the top of the hill, (a la lomo del Toro,) before the post of Trinidad, it shall take the upper road, which it shall follow as far as the town of Nacogdoches where it began, leaving to the right all the lands that were yesterday, (December 21, 1826,) contracted for with Joseph Vehlein & Co., by his attorney, John L. Woodbury, passed December 22, 1826.

The aforesaid four several grants having been assigned by the aforesaid Empresarios to Anthony Dey, George Curtis, and William H. Sumner, in trust for themselves and associates, and the grants consolidated, are all comprehended within the following limits, (excepting the town of Nacogdoches,) :—

Beginning at the Westerly boundary of the United States of America on the Gulf of Mexico, thence running Northerly on the Westerly side of the *Sabine River* to the road leading from Nacitoches to Nacogdoches, thence running Westerly along said

road a distance of twenty Spanish leagues from the boundary line to the suburbs or vicinity of Nacogdoches, then proceeding from said town of Nacogdoches, northwardly, a distance of fifteen Spanish leagues, where, leaving free on one side the twenty boundary leagues in a parallel with the river Sabine and the dividing line of the United States of the north, shall be placed a landmark, and from which a right line shall be drawn to the west until it strikes the rivulet named Nabasoto, from thence the line shall descend upon the left margin of said rivulet, following its course until it meets the road leading from Bexar to Nacogdoches, thence running along said road till it comes to a point thereon, lying due north of the source of the waters of the rivulet St. Jacinto, thence running due south to the source of the waters of the said river, thence it shall follow the left bank of the St. Jacinto to Galveston Bay, thence by the westerly side of said Bay to the Gulf of Mexico, excluding the Island of St. Louis, and thence by the said Gulf of Mexico to the place of beginning.

The dates of the aforesaid grants are as follows :—

To Lorenzo de Zavala, March 12, 1829.

To David G. Burnet, December 22d, 1826.

To Joseph Vehlein, 21st December, 1826.

Second Grant, 11th October, 1828.

By Art. 2, of the Grant to L. de Zavala, he is obliged to introduce and establish on his own account, within six years, five hundred families, of which one part shall be of Mexican origin, and the remainder foreigners—(Spaniards excepted.)

By Art. 1, of the Grant to David G. Burnet, he is obliged to establish, within six years, three hundred families, agriculturalists, breeders of cattle, and artizans, of good habits, morals, and character.

By Art. 7, of the first grant to Joseph Vehlein, he is to establish three hundred families, partly of Swiss or Germans and partly of North Americans, within six years—and by Art. 3, of the second grant to Vehlein, he is bound to establish, within six years from the date of said grant, one hundred families on said land, to be of German, Swiss, and English origin.

*Families on the Land.*

A provision is made in all the grants, in favor of families who have gone on under the protection of the government, or otherwise, provided they have the legal qualifications.

*State retains the right over Vacant Lands.*

The State retains the right of property over all vacant lands, after laying off to the Empresarios, and the families settled, or to be settled, according to law, (except in the second grant to Vehlein,) for the purpose of rewarding the military, selling to Mexicans, and settling others, according to law.

*Not to permit people of bad habits to reside in the Colony or trade with the Indians.*

The Empresarios, in all the aforesaid grants, are forbid introducing, or permitting to remain, people guilty of crimes, nor to permit persons to trade with the Indians in arms or ammunition, in exchange for horses or mules.

*National Militia.*

There is a provision in all the grants, that as soon as there is a sufficient number of men, the National Militia shall be organized and regulated according to law.

*Official communications to be in Spanish.*

A provision is made in all the grants, that all communications must be in Spanish.

*Things not expressed are implied.*

Every thing, not expressed in these articles, it is implied and understood that the Empresarios and new colonists shall submit to the *Federal Constitution*, laws of the Nation and State.

*Places of Public Worship.*

It shall be the duty of the several Empresarios to promote the erection of places of public worship, and see they are furnished with ornaments, sacred vessels, &c.

*Colonists must be Catholics.*

The colonists, in addition to their being Catholics, must be of good moral habits, and this must be certified by the authorities of the place from whence they came, &c.

*Deed of Zavala, Vehlein, and Burnet, to Anthony Dey, George Curtis, and William H. Sumner, and their associates.*

On the 16th day of December, 1830, Lorenzo de Zavala, Joseph Vehlein, and David G. Burnet, the Empresarios in the four several grants, before described, made a deed of conveyance of said grants to Anthony Dey, George Curtis, and William H. Sumner, and their associates, to be held in Trust for all the parties interested, or to become interested therein; and at the same time agreed to appoint Lynde Catlin, George Griswold, John Haggerty, Stephen Whitney, William G. Bucknor, Barney Corse, and Dudley Seldon, directors of said Company, until the 1st day of November, 1831.

The said Zavala, Vehlein, and Burnet, covenant that they are severally the sole owners of the said grants and contracts; that they are lawfully seized of the said grants and contracts described and referred to; that they are in full force and effect, not annulled or superseded; that they are free of all incumbrance by *them* or to *their* knowledge; that they will warrant and defend the same; against all persons claiming under said grants or contracts, or otherwise; and fully empowering the said Trustees to do all and every act in the premises, &c.

*Articles of Association of the Galveston Bay and Texas Land Company, entered into the 16th of October, 1830. (Abridged.)*

Art. 1. The association to be called the Galveston Bay and Texas land Company. To be composed of Zavala, Vehlein, Burnett, and their associates, for the purpose of colonizing the aforesaid grants according to law, to be held by Anthony Dey, George Curtis, and William H. Sumner, and their successors, in *trust*, for themselves and the other subscribers, in proportion to the interest which each possesses in the common stock and property thus conveyed.

Art. 2. The said trustees and their successors, shall continue to hold the four contracts and grants of land, for the purpose of colonization, in *trust* for all the subscribers, or who may hereafter sign these articles and the deed of trust to which they are affixed, within the time limited for that purpose, until the said trust shall cease and terminate, &c. The successors of said trustees to have the same power as the original trustees, &c.

Art. 3. This company is to carry into effect the conditions of the grant out of the means the contracts themselves furnish, without any assessment whatsoever. To effect this, the trustees are authorized to sell all the lands, scrip, &c. for the company's benefit, or *pledge*, or *mortgage*, the same for *loans* obtained for said company, and after settlement is made, the scrip, if any remains, to be divided as profits of the the undertaking to each share. The directors are to cause the lands to be explored, and surveyed, and laid out into townships, &c. They are to compromise with settlers; to make agreements with *aborigines* for their comfort, or removal; to empower agents to receive settlers; to agree with laborers; to grant scrip with, or without consideration; to contract with persons to bring and place the settlers on the land; to furnish settlers with the means to transport themselves and families, and with subsistence for a year; to provide barracks, agricultural implements, and seeds; to purchase horses, and cattle, and mules; to make all applications to the Legislature, &c.

Art. 4. The trustees to act by a majority of their members, and if a difference of opinion exist between two, they must require the opinion of the third in writing.

Art. 5. A *board of directors* of seven, to be chosen from the shareholders, for one year. The votes shall be by shares, one for each, but no shareholder shall have more than forty votes. Neither the clerk, nor any of the trustees, shall be directors, &c.

It shall be the duty of the directors to settle with the claimants for services rendered and money expended in the formation of this association, and to accredit and settle the accounts of trustees for moneys expended by themselves, or agents, in the performances of the duties assigned them, and to approve of all salaries, &c. for agents or clerks, &c. The directors shall watch over the inter-

ests and concerns of the company, and once in six months, and oftener, if they see fit, to look into all the proceedings and doings of the trustees, to examine their books, files, records and accounts, to enable them to judge of the propriety of the measure proposed, &c. In case the directors shall become dissatisfied with the conduct of the trustees for improperly disposing of the company's property, or for other causes, they shall direct the clerk to call a meeting, and they can remove the whole, or either of the trustees from office, and choose others in their stead. They are empowered to fill all vacancies in their own board, or by a vote of two-thirds, can remove a member, &c.

Art. 6. There shall be a clerk appointed, who shall be sworn, &c. He shall keep an account of the proceedings of the trustees, directors, and company, at their meetings, and a *record* of all things in regard to said company, required by the duties of his office, notify all meetings, &c.

Art. 7. That the stock and property of the company shall be divided into one thousand shares, and that certificates of the number of shares set against the names of the subscribers hereto, by themselves or their attorneys, shall be signed by the trustees, and countersigned by the clerk, and afterwards issued to the persons entitled to the same; they having previously signed the deed of trust, and these articles of association; which said certificate shall be transferred only on the books of the company, and shall be in the following form:

*Galveston Bay and Texas Land Company.*

No.

This certifies that ——— entitled to ——— share in the estate and funds of the Galveston Bay and Texas Land Company, as created by deed of trust, executed by Lorenzo de Zavala, Joseph Vehlein, and David G. Burnet, parties of the first part, and Anthony Dey, William H. Sumner, and George Curtis, parties of the second part, and their associates, subscribers thereto, of the third part, bearing date the 16th of October, A. D. 1830, subject to the trusts and conditions therein expressed and contained, and transferable only on the books of the company. Dated in the city of New-York, the ——— day of ——— 183—

Sec.

} *Trus-*  
} *tees.*

Art. 8. It is agreed that the dividends of the company, which shall be made by the directors, in the manner pointed out in the provision to the third article, (unless hereafter otherwise ordered,) shall be made in scrip, denominated "sitios" and "labors," which shall be signed by the trustees and attorneys of the empresarios, and the clerk or secretary of the company, and issued to each proprietor according to the number of his shares on de-

mand, as soon after the same shall be declared, as the said scrip can be made out, which *scrip* shall be *transferable* by the endorsement of the original proprietors name thereon, and delivery afterwards. The grants are all to be made in the following form. (The scrip in the hands of the purchaser, is in the form, and states all the conditions named in articles of association of said company.)

Art. 9. No scrip shall be issued for a less quantity than a "labor," nor for a larger quantity than a "sitio;" but the scrip may be surrendered to the clerk, who shall divide the same into labors, and issue certificates therefor. But the trustees may give memoranda, not transferable to certain of the large shareholders, of the quantity of scrip to which they are entitled by any dividend, which shall be surrendered before any scrip shall be issued to them.

Art. 10. There shall be a public annual meeting of the shareholders in the city of New-York, on the first Monday of November, before noon, for the choice of *directors*, and such other business as shall require the attention of the shareholders; and the directors shall have power to call meetings at any time and place, as well as the above, by notifying the same in public newspapers, one to be published in the city of Washington, one other in the city of N.York, and one other in the city of Boston, for two weeks successively, at least four weeks before the time fixed for said meetings, and if the directors refuse, on application of the holders of two-thirds the shares, to call a meeting, the clerk shall call a meeting, and besides the mode above pointed out for calling a meeting, he shall give personal notice, or notice through the post-office, &c.

Art. 11. Three-fourths of the votes present at any meeting of the company, warned for that purpose, computed according to the fifth article hereof, may add to, amend, or alter this constitution.

*Trustees liable to pay all assessments.*

It is expressly agreed, and understood, that it is the intention, that the whole means of raising money out of the estate conveyed into the hands of the trustees, (of the Galveston Bay and Texas Land Company,) is to be left in their hands and at their disposal, for their indemnity; so it is further declared, that the shareholders shall not, in any event, or under any circumstances, be responsible for any disbursements, charges, expenses, nor assessments, nor liable to be called upon to contribute for any part of the same, &c.



*Officers of the Galveston Bay and Texas Land Company,  
for the years 1831 and 1832.*

DIRECTORS.

LYNDE CATLIN,  
WM. G. BUCKNOR,  
GEORGE GRISWOLD,  
BARNEY CORSE,  
JOHN HAGGERTY,  
DUDLEY SELDON,  
STEPHEN WHITNEY.

TRUSTEES.

ANTHONY DEY, } *New-York.*  
GEORGE CURTIS, }  
WILLIAM H. SUMNER, *Boston.*

EMPRESARIOS.

LORENZO DE ZAVALA,  
JOSEPH VEHLEIN,  
DAVID G. BURNET.

*Deed of Grant, &c., to COL. JOHN DOMINGUEZ, of Lands in Texas,  
&c., described as follows:—*

Beginning on the Arkansas at that part which is crossed by the 23d degree of longitude west from the city of Washington, which is in fact the boundary line between the Mexican Republic and the United States of North America. From thence the line shall run to the South along the said 23d degree of longitude, or boundary line, a distance of forty leagues; from thence the line shall strike twenty leagues to the west, which is the limit of the reserve referred to in the colonization law of the 18th of August, 1824; from the point at which the said last mentioned twenty leagues shall terminate, a line shall be drawn to the north, parallel with the said 23d degree of west longitude from Washington, till it strikes the said river Arkansas, which forms the boundary line between this Republic and the United States of North America; from thence the said grant shall run along the western bank of said Arkansas for twenty leagues, till it comes to that part at which it is crossed by the beforementioned 23d degree of longitude west from the city of Washington, which is the place of beginning.

In consideration of said grant, the said John Dominguez is to introduce and establish, within six years from the 6th day of February, 1829, *two hundred* families, one part shall be Mexican and the other of European origin—(excepting Spaniards.)

The State retains the sovereignty over all surplus lands, &c. The other conditions are the same as in Zavala, Vehlein, and Burnett's grants.

*Grant to STEPHEN J. WILSON.*

On the 27th day of May, 1826, the government of Coahuila and Texas granted to the Empresario, Stephen Julian Wilson, the following described lands in Texas, to wit :—

It shall begin at a landmark that shall be placed where the thirty-second degree of north latitude intersects the meridian of the one hundred and second degree of west longitude from London, that point being at the south-west corner of the grant prayed for by Colonel Reuben Ross ; from thence to the west, following the parallel of the thirty-second degree of latitude as far as the eastern boundaries of New Mexico ; from thence to the north, following the division line of this state and the territory of New Mexico as far as twenty leagues to the south of the river Arkansas ; from thence to the east, as far as the meridian of the 102d degree of longitude, being the western boundary of the tract of land prayed for by Col. Reuben Ross, and from thence to the south as far as the place of beginning.

This tract to be colonized within six years from the date of the grant, with two hundred industrious Roman Catholic families.

No reservation is made by the government of any portion of the lands described in said grant. The other conditions are the same as in the grants to Zavala, &c. The said Wilson having associated Richard Exter with him, for the colonization of said land, and the same having been approved of by the government, they, the said Wilson and Exter, petitioned the government of Coahuila and Texas for another grant of land, to colonize one hundred other families, either of native or foreign origin, which was on the 23d of September, 1828, granted, and the following described lands were "assigned" them for the colonization of one hundred families, to wit :—To commence on the right bank of the Arkansas river, at the point which forms the boundary line between this state and that of New Mexico ; from thence the line of said boundary shall extend down the river till that point which is intersected by the 102d line of longitude west from London ; from thence a line shall be drawn to the south, which shall extend on the said 102d line a distance of twenty leagues ; from thence another line shall be drawn to the west parallel with the said river Arkansas, till it reaches the eastern boundary of the territory of New Mexico ; from thence it shall extend along said boundary line till its junction with the right bank of said Arkansas river, this being the place of beginning.

By sections 2 and 5, the Empresarios are bound to settle the one hundred families, within six years from the date of said grant, and the same may be either of native or foreign origin, belong-

ing to any other country than the United States of the North and old Spain, as is prescribed by the regulations of the Supreme Government of the Confederation in that behalf. The remaining condition in this, and the preceding grants, are the same as in the grants to Zavala, Vehlein, and Burnet.

The said Richard Exter being dead, and his widow married to John Charles Beales, of Mexico, the said Beales, with Don Francisco Fagoaga, Judicial Curator and guardian of the widow and minor children of the said Richard Exter, and Don Mariana Dominguez, testamentary guardian of the said children, each acting by John Enrico, of Mexico, attorney and representative of the parties above named, on the 27th day of April, 1831, agreed with Elisha Tibbitts, John S. Crary, and Henry Hone, merchants, of the city of New-York; and their associates; to form a company or association for the purpose of disposing of, or colonizing and settling said lands, under the name of the "*Arkansas and Texas Land Company*," and conveyed one moiety of the lands comprehended within the said grants, to Thomas Ludlow Ogden, Daniel Jackson, and Edward Curtis, Esquires, of the city of New-York, to hold in Trust for the benefit of the associates in the said company.

Articles of association have been entered into by said company, nearly similar to those entered into by the "Galveston Bay and Texas Land Company." The moiety of these grants are divided into shares, each consisting of one fifty-six hundredth part of said property, and each estimated to be equal to one Sitio, or  $4428\frac{420}{1000}$  English acres. Certificates of such shares, duly signed and endorsed by the said John Enrico, are delivered to the persons interested in said grant, which entitles the holder to all the rights and privileges of an associate of said company.

To comply with the condition of settlement, as specified in said grants, two gentlemen, Messrs. Enrico and Edgerton; agents and attorneys for the shareholders of said company, have already made arrangements for placing five hundred foreign families on said land, and have gone to Europe for the purpose of expediting their arrival. It is expected these gentlemen will arrive at New-Orleans, with their settlers, in the month of March, at which place preparations will be made to transport them, probably up the Red River, by steam and keel boats, to the place of location. The grant to Wilson has already been surveyed by a competent and intelligent surveyor, who has transmitted to this company a copy of his field notes and survey. He represents this tract as somewhat rolling, and generally good, and *conveniently* diversified with woodland and prairie, springs of excellect water are very frequent, and, besides several large rivers, streams of the very best of water, at convenient distances, are abundant, running in

almost every direction through the tract. The rivers, and almost all the streams, have broad, rich bottoms or intervals, some nearly three miles wide, covered with a most luxurious growth of timber, or vegetable matter. From the information derived from this survey, and from other creditable sources, it may fairly be inferred that this grant is equal, if not superior, to any other tract of equal extent in Texas, or perhaps in any other country.

### REMARKS.

In giving this abridged and hasty sketch of Texas, it cannot be expected that a very particular description will be given of the face of the country, its soil, climate, population, agricultural and commercial advantages, &c. It would require more time than can be devoted, and more information than has been acquired, to do justice to this interesting subject. While Texas was an integral part of the Spanish empire, it appeared to be the settled policy of that government to prohibit settlements there. Such was the jealousy towards foreigners, that she absolutely passed laws, not only prohibiting their settling in the country, but even passing through it. And by maintaining a wilderness of nearly a thousand miles in extent, such was the timidity and indolent character of her native population, that the country remained uninhabited and unexplored, until, by a change of government, her intrinsic and local advantages began to be known and appreciated. Such has been the moral influence of a wise and liberal policy pursued by the Republican government of Mexico towards Texas, that it may be emphatically now said, that this "wilderness begins to bud and blossom like the rose." The Mexican, like her sister Republic of the North, seeing the great advantages to be derived by the free admission of foreigners into her territories, in addition to the increase of their physical strength, and the introduction of the sciences and the arts, the improvements in agriculture, and the certain increase of revenue, by the introduction and extension of commerce, wisely invited the subjects of all nations to settle among them, and passed laws for the distribution of its unimproved lands among citizens and foreigners, in such liberal quantities, that thousands were induced to accept of the proffered boon, and are now in the actual possession and occupation of their lands, realizing, under the administration of just and equal laws, more of the comforts, and even many of the luxuries, of older and more populous and civilized states.

By a reference to the Constitutions of the Federal and State governments, and the laws passed by the Legislative authorities of both, it will be perceived "security is offered to all foreigners, who come to establish themselves among them," and the "State of Coahuila and Texas invites them to come." It is about eight

years since the authorized emigration to Texas commenced. But few were acquainted with the inducements which that fine country offered to the enterprising and industrious settler. The early emigration was but very slow. Stephen F. Austin, Esquire, may be said to be the great pioneer to that then wilderness world. His was not only a trial of courage, as the country was inhabited only by savages and beasts of prey, but of great fortitude and perseverance, as he, and the small band with him, had to forego not only the comforts of civilized life, but for a considerable period of time had to depend on the precarious and uncertain means which a hunter's life affords, for subsistence. The first season he raised a little corn, and as numbers flocked to him, depending on his liberality and bounty, it created a great scarcity of grain; yet such was his determination and perseverance, rather than abandon an enterprize which promised so much in future, that he limited his dependents to half a pint of corn a day, and then divided his own half pint with his friends. By such self-deprivations he sustained the colony at an early period of its existence. It continued to increase in population, and in the means of support, until it has become a rich, populous, and flourishing country, and its founder a highly distinguished, respectable, and wealthy man; and is now the representative of his own colony in the Congress of Coahuila and Texas. His grant must, at this time, contain from eight to ten thousand inhabitants. It begins to assume the appearance of an old and highly cultivated state. Several flourishing villages are springing up in his colony, as it were by enchantment, among which are St. Felipe de Austin, Brassora, Harrisburgh, Fayette, &c. These are considerable villages, and are peopled by a contented, happy, and respectable population. In each town there are several respectable public houses, where the traveller is politely treated and comfortably entertained, and in travelling through the country, the rites of hospitality are no where refused to those who are worthy to receive them. Courts of justice are established, not only in Austin's colony, but throughout the settled parts of Texas. They are governed by a fixed code of laws, and justice is as impartially administered there as in any other country. Every town has its justice, (alcalde,) before whom all matters are cognizable, and are tried by arbitrators, each party choosing one, and the alcalde making the third. There is also the Court of Ayuntamiento, composed of several judges, who have original and appellate jurisdiction, and on important cases, particularly in criminal matters, an appeal lies to the Supreme Court at Saltillo.

It is not intended to give a particular history of Austin's, or of the other grants in Texas. The letter of David G. Burnet, Esq., a resident of Texas, will be found in the latter part of this pamphlet, to which I refer the reader, for a more minute and particular description and history of that interesting country. Major

Burnet is considered a man of strict integrity, is intelligent, has travelled much over Texas, and has had better means of obtaining information than any other individual. It was written at the request of gentlemen in New-York, who were anxious to obtain correct information on the subject to which it relates, and is now published without the liberty of Major Burnet, or the gentlemen to whom it was addressed, but in furtherance of their views, to disseminate correct and useful information, in relation to their own grants, and the country generally. The writer of this, has travelled across Texas from the Rio del Norte to the Sabine; has seen much of the country, and became acquainted with many of its inhabitants, among whom was Major Burnet, and is well satisfied he would have had Major Burnet's permission to publish this letter, if required. It is true, that he is a resident of Texas, and is interested in the growth and prosperity of that country. It is also true, that the best of men are sometimes betrayed into error, by interest operating imperceptibly upon their judgment; in this way Major Burnet may be deceived, but no one, who knows him, will, for a moment, entertain the idea that he has intentionally written a single word to mislead the public or individuals, but that all he has written, contained in that letter, he believed to be strictly true. His letter has been examined with much attention, with a view to detect inaccuracies, should any exist—a small portion of the same has been omitted in this publication, and the letter, as it is here published, the writer unhesitatingly says he believes to be true in all its parts.

Besides the towns already mentioned, there are other considerable towns in Texas; Nacogdoches, Bexar, La Bahia del Espiritu Santo, *Guadalupe*, or *Wallope*; these are settled principally by native citizens. Also, Matamoras, on the Rio Grande, or del Norte, is a place of much importance. It is differently represented as containing from 8 to 12,000 inhabitants, principally Mexican. The American and English population is supposed to amount to about 600, among whom are many highly respectable citizens. The commercial business of that town and country is principally conducted by foreigners. The official statement of the amount of duties received at the port of Matamoras for the financial year, ending the 30th day of June, 1831, amounting to \$1,046,078 5. 3, is to be found in the latter part of this pamphlet; the increase for the last year was \$652,183 5 3. The country to the west, even to Santa Fe and bordering on the Pacific ocean, receives a great portion of their merchandize through this port. It is transported by mules, each carrying a cargo of 300 pounds, to the interior. The gold and silver, coined and in bars, furs, provisions, &c., are returned by the same means of conveyance to Matamoras, and are there shipped to different parts of the

world. Cattle, horses, mules, sheep, goats, &c., at and in the neighborhood of the Rio Grande, are numerous and cheap. The cattle are extremely fine, and of a larger growth than can be found in almost any other part of the world. The price of oxen, *broken*, averages from 20 to 25 dollars the pair. A cow of the largest size, with her calf, at from five to six dollars. A breeding mare from three to six dollars; and a good riding horse can be purchased at Matamoras, for from eight to twelve dollars. It would be a great saving to the new settler to purchase his horses and cattle there, as they can be driven with very little expense to any part of Texas. The soil of that part of Texas between the Rio del Norte and the Nueces, to the distance of fifty or sixty miles towards the interior, is of good quality, but greatly deficient in timber, and in good water. Water, however, of a good quality, is procured by digging a moderate depth; yet this is certainly a great objection to the country, and these lands will not be sought for, until the more desirable lands are located and settled.

This country abounds with large ponds, and, apparently, rivers of salt water. These salt ponds are much frequented by the wild cattle and horses, which cover the whole face of the prairie, particularly the wild horses, or *Mustang*, as they are called by the Mexicans. The writer of this has frequently seen what he judged to be three or four thousand wild horses in a drove. These horses are caught and broken by the Mexicans and Indians, and make serviceable, good horses. The lands, or, as it is called, the country of the Camanches, lying north and west of that last described, is also situated in Texas, and is represented to be the most desirable tract of land in Mexico. It is of the richest soil, gently rolling, a due proportion of wood land and prairie, abounding in springs and rivers of excellent water, a salubrious climate, and in the possession of a civilized, industrious community, would not be surpassed by any on earth. Such is the uniform testimony of all travellers. The lands south and adjoining the Nueces, are rich, rolling prairie, interspersed with cops of standing trees, and altogether surpass, in point of beauty, any tract of country the writer of this has ever seen. The grant and settlement of Messrs. M'Mullin and M'Gloin, adjoining the Nueces east and north, and their grant extends to the river Arrasansas. They have commenced a settlement with about twenty Irish families.

This tract of land is represented as excellent, and the Empresarios are flattered with the prospect of soon having large accessions to their present number. The Grant to *Powers*, adjoining M'Mullin and M'Gloin's, to *Dewit*, to *Milam*, and to *Thorne*, are considerably settled, and are daily increasing in numbers. The *consolidated* Grants of *Zavala*, *Vehlein*, and *Burnet*, are rapidly settling, and must contain, at this time, from three to four thousand inhabitants. The *Ayish Bayou* settlement in these Grants is

said to contain 500 families; all the lands on *Old River* and on the *Trinity*, for fifty miles from their mouths, are taken up and settled. Considerable settlements have been commenced between the *Trinity* and the *Natches*, and also between the *Natches* and the *Sabine*. On *Galveston Bay* a new town has sprung up, called *Anahuac*, (after the original name of Mexico) whose growth is unparalleled. It dates its existence no further back than October, 1830. At that time, *John Davis Bradburn*, Esq. (an American by birth) a colonel in the Mexican service, landed there, with about 120 Mexican soldiers, erected temporary barracks for his and their accommodation; laid out the present site, fronting on the waters of the Bay of *Galveston*, on a high, level prairie, which, in point of beauty, is not excelled by any other location. It is situated at the head of the Bay, near the entrance of the *River Trinity*. The town consists, at this time, of not less than from fifty to seventy dwelling-houses and stores; some of them are of brick, and are respectable buildings, and must contain from three to five hundred inhabitants, besides the military in garrison. The unusual growth of this place is, in a great measure, attributable to the industry, liberality, and perseverance of colonel Bradburn, who, regardless of his own interest, has sought to promote the interest of the public by every means in his power. In him the stranger finds a friend, and his authority is exerted to protect every one who claims protection and is worthy of it. This *acknowledgement* is due to colonel Bradburn from the writer of this, who experienced his *hospitality* and had an eminent proof of his friendship while travelling in Texas.

*Anahuac* is also a military post. A new brick *Fort* is now building, on or near the spot, where the celebrated *Lafitte* and his *piratical crew* resided during the late war with Great Britain. Public works are also in progress on *Galveston Island*, (*Island of Saint Louis*) to protect the entrance into *Galveston Bay*. A garrison is also stationed there. It is impossible to make any accurate calculation as to the amount of business done in *Galveston*, although a port of entry. By a law of the Mexican Republic, all goods, from the date of said act to the 1st of January, 1832, were to be admitted into the port of *Galveston*, &c. free of duty. A great number of vessels from *New-York*, *New-Orleans*, *Matamoras*, and other places, have arrived at *Galveston* the present year, loaded with merchandize and emigrants. Several have been employed in transporting lumber from *Galveston* to *Matamoras*, *Tampico*, and *Vera Cruz*. This indispensable article is found nowhere in Mexico in any considerable quantity, except in the Eastern Grants of *Zavala*, *Vehlein*, and *Burnet*. It is manufactured at the steam mill of Messrs. *Harris and Wilson*, at *Harrisburgh*, and is readily sold for about \$40 per thousand feet. At present there is but little more produce raised in the Eastern



Grants than is required for the consumption of its inhabitants, and to supply the emigrants, who are daily locating themselves there. Although agriculture is in its infancy among them, its final success is by no means problematical. On and in the neighborhood of Galveston Bay, extensive orchards of lemon and orange trees have been planted; their growth has been rapid, and the produce abundant. In two years from the seed, the peach tree bends under its fruit. The fig is produced in great plenty. The Irish and sweet potato, and all kinds of *garden* vegetables grow there and produce well. Sugar, cotton, and indigo are cultivated to advantage, and will shortly be produced in great quantities for exportation. It is calculated that there is more than 70,000 acres of sugar land, south of latitude 30°. In Austin's colony alone, the last year, about 1500 bales of cotton, and 80 hogsheads of sugar were made; and nearly the same quantity of sugar was made on the Trinity. A number of sugar mills and cotton gins are now in operation, and more are building. Indian corn grows luxuriantly in Texas, and produces as much on the acre as is produced on the best corn lands in Kentucky or Illinois. In short, Texas, in the richness of her soil, the salubrity of her climate, the luxuriance of her herbage, and the extent and variety of her productions, is not excelled by any other country on the globe.

The facilities of emigration to Texas, from the *Atlantic states*, and from *Europe*, deserve consideration. In this respect it has a decided advantage over every other section of country which has heretofore attracted the attention of the emigrant. To say nothing of the crazy project of emigrating to the mouth of Columbia river, on the Pacific Ocean, a distance of more than 4000 miles by land, and from 10 to 12,000 by water. The expense of removing and locating a family in the western states of Indiana, Illinois, and Missouri, in the preparation of teams, the expenses incidental to so long a journey, the immense sacrifice on articles of household furniture and other property which they cannot carry with them, and in procuring like articles to commence keeping house again, in a new country, will exhaust a moderate fortune; or if steam and canal boats are preferred to teams, the *effect* is the same. Unless wealthy, the emigrants stock of money is soon exhausted—he finds himself among strangers—he commences clearing up a new farm without assistance, or the means to procure it, with a large and helpless family—he labors, perhaps, many years before he can regain the amount of property sacrificed by his removal,—and perhaps dies; leaving his lands not paid for, and his family destitute; to make their way back to their friends, by means of charity, or in some other manner. This statement is appalling to the emigrant, but it is no less true. Such has been the case with many an emigrant; to the truth of which, there are but few, particularly residing in the country, but what

will bear testimony. The emigrant takes a passage at a trifling expense in some vessel bound to Texas, with all his goods and effects; is landed at Galveston, Brassoria, Matagorda, or Arrasansas Bay, or at the place nearest his location, where, by means of the navigable rivers, he can ascend with his family and effects in a *keel*, or small boat, to the very spot, or within a short distance of the place he has selected for his future residence. In a few days he can erect, at least, a temporary dwelling, and be able at once to commence the cultivation of his farm, and to procure an early supply of vegetables, corn, &c., for the support of his family. He selects a portion of prairie which is already cleared; he has only to plough the earth to enable him to *plant* and *sow*, and realize at once what could not be procured in a timber country, except by days and months of laborious industry in clearing and preparing his land for cultivation. Situated on or near the *seaboard* the emigrant is enabled, by means of the commerce carried on between Texas, the Atlantic cities, and foreign ports, to correspond with his friends and relatives in foreign parts, and at convenient seasons to visit them, and to receive visits from them. So situated, it reduces the idea of time and space, and, as it were, brings friends to hear and converse with each other without reflecting on their absence or the distance which separates them. As the produce of this country, which now finds a ready market, at exorbitant prices in the ports of the Republic accumulates, an increased demand will be found for it in the new sources of trade, which will keep pace with the improvements of the country. By law, the new colonists are free from taxes for the space of *ten* years. This enables them to realize all the fruits of their labor, and is a privilege not enjoyed in any other country.

The produce of the country is protected by a high tariff in all the ports of the Republic. By reason of this the agriculturalist, manufacturer, and mechanic, have strong inducements to persevere in their several vocations.

In Matamoras,

Flour is worth from . . .	\$16 to 20 per barrel.
Indian Corn . . . . .	\$ 3 to 5 do.
Rice, from . . . . .	12 to 15 cts. per lb.
Brown Sugar . . . . .	25 to 26 do.
Hogs Lard . . . . .	24 to 26 do.
Hams . . . . .	25 to 30 do.
Potatoes . . . . .	\$ 3 to 5 per barrel.

All other articles of produce and manufactures in the same proportion. With common industry and the blessing of good health, a prudent man cannot fail to make a decent fortune in a few years. The colonists of Texas have not mingled in the politics of the country. "They are contented with the advantages they possess—the liberty they enjoy; and are too wise to embroil them-

selves in the dissensions and strife of party, which has so much divided and distracted the old states of the Republic. Although Texas is situated between 28° and 35° N. latitude, the climate is considered mild and healthy. Through the summer months the heat is tempered and allayed by refreshing sea breezes. It is a fact worthy of remark, that the breeze generally increases as the sun rises above the horizon. A meteorological table, showing the degrees of temperature at Anahuac, on the Bay of Galveston, from the 1st day of March to the 20th day of September, 1831; will be found in the latter part of this pamphlet. By a comparison with one kept in New-York for the same period of time, it will be perceived that an equal or greater degree of heat was experienced in New-York than at Anahuac.

### REFLECTIONS, &c.

It is now the last of December, and our country is buried in ice and snow. A deep gloom is settled on the countenances of the poor, as well as on the face of nature. General distress pervades our city—the cry of the widow and orphan is heard in our streets; begging for wood and for bread—the houseless and pitiless stranger is wading through deep and untrodden snow to seek a shelter from the severe cold and the storm—the trees are stripped of their foliage—the fields are all barren and dreary—the produce of the husbandman obtained by severe labor, through the summer months will all be exhausted in the feeding and preserving his stock of cattle, &c., before the rays of the sun shall unlock the icy fetters of winter, and vegetation re-appear. It is a consoling reflection that we are not *bound* to endure the rigors of a northern winter: that God, in mercy, has created more *genial* climates, where there is neither snow or ice: where nature, clad in her gayest livery, always looks cheerful; and where the earth provides *gratuitously* for herds and flocks, and every thing which can draw sustenance from its bosom. Such a country is Texas; her climate is temperate, she experiences none of the changes of the seasons felt in the northern states, but constantly fanned with soft and gentle breezes; vegetation grows and flourishes continually; nor is it but little checked by the winter months. The prairies are always green and covered with a rich herbage, and afford a sufficiency of pasture for cattle and horses throughout the year.

NEW-YORK, December 30th, 1831.

## LETTER OF DAVID G. BURNET.

NEW-YORK, Nov. 4, 1830

To Anthony Dey, Wm. H. Sumner,  
and George Curtis, Esqrs.

HAVING spent two years in Texas, part of the time in Austin's colony, and the rest of it in traversing the country, to which I am about returning for a permanent residence,—in compliance with your request to furnish a brief account of it, and more particularly of the grants of Messrs. Zavala, Vehlen, and Burnet; I remark, that Texas, in its usual and most extensive acceptation, comprises the whole territory lying between the southwestern boundary of the United States and the Rio Grande, alias, the Rio Bravo del Norte, the Gulf of Mexico on the South, and the Arkansas and Mississippi Territories of the United States on the north. This definition, however, is not in strict accordance with the political organization of the country, as the state of Tamaulipas and the department of Coahuila, both cross the Rio Grande, making the Nueces strictly the western limit. Anterior to the independence of Mexico, in 1821, under the vice regal government, Texas was almost an unknown wilderness. Foreigners of all nations were prohibited under the penalty of an indefinite imprisonment, at the caprice of a petty military despot, from trespassing on its soil; and the few native subjects that had sufficient enterprise to encounter the hazards and privations of a new settlement, were constrained, by their habitual indolence and timidity, to restrict themselves to compact habitations. Under these circumstances the villages of St. Antonio de Bexar, La Bahia del Espiritu Santo, and Nacogdoches were commenced, and small parcels of ground in the vicinity of each were brought into cultivation; and under similar discouragements they have lingered along in almost total abstraction from the world, for near a century. The country at large was left to its primitive condition; and remained so, without an effort on the part of the government to reclaim it, until the final subversion of the regal power, and the emancipation of Mexico from the improvident dominion of Spain. Soon after the institution of the present federal republican government, the settlement of Texas became a favorite point of national policy, and laws of colonization were enacted, expressly to effectuate that object, guaranteeing protection to the persons and property of foreigners, and inviting them to settle on its fertile lands. Under those laws a large portion of the country has already been granted, in districts of various dimensions, to *Empresarios*, or Founders of Colonies, for settlement; to the military as a reward for their services, to native and naturalized foreigners, who are actual residents. The grants so made comprehend nearly all the land that is desirable for present occupation.

About seven years have elapsed since the authorized emigration

to Texas from the United States commenced ; and for a considerable part of that time, the inducements presented to settlers were but little known. Emigration was consequently limited. Within a few years it has greatly increased in number, and improved in character. The whole amount of the Anglo-American population at present, does not I presume vary much from 9000 souls, the most of whom are settled in Austin's colony, which commenced in 1821. The native Mexican population is about 5000 souls, and these are chiefly resident at the three villages before mentioned. Of the aboriginal Indian inhabitants, any estimate I could make, would be conjectural. The principal tribes are located high up in the interior, and have no connexion, and very seldom any intercourse, with the white settlements. They have never caused any very serious disquietude to the colonists from their earliest settlement, and are now regarded as perfectly impotent, and easy of control.

There are few regions of the globe on which the bounties of nature have been more profusely dispensed, than on this delightful country, that is just emerging from obscurity. The fertility of its soil—the amenity of its climate—its contiguity to the ocean—the numerous rivers which empty into it, affording the cheapest transportation to the highest markets in the world, for the principal product of its soil,—are such advantages as are seldom concentrated in an equal degree, and which will enable the enterprising population which is now pouring into it, to render Texas the most favored portion of the earth. The territory between the Sabine and the Rio Grande includes a sea coast of about 500 miles in extent. In that distance there are but four harbors of considerable importance, to wit: Galveston, Matagorda, Arrasanso and the Brasos St. Iago, the haven of the Rio Grande. That of Galveston is decidedly preferable to the others, and is probably the best harbor between Pensacola in Florida, and Vera Cruz in Mexico. The bay of Galveston is about thirty five miles in length, and varies from twelve to eighteen in width. It receives the river Trinity, the San Jacinto, Old River, and some smaller streams; and it may, at very little labor or expense, be connected by canals, so as to receive the produce of the Sabine on one side, and the outlet of the Brasos on the other—both of these places being without a depth of water sufficient for any considerable maritime navigation. The island of Galveston, (San Louis) about thirty miles long, and three to five broad, stretches along the coast in front of the Bay, and arresting the surges of the gulf, forms a secure and commodious harbor within, adequate to all the ordinary purposes of commerce. The principal entrance is at the eastern extremity of the island, where the main land projects to the west, and is called Point Bolivar. The passage is probably half a mile in width, and the bar, which is stationary and uniform, carries at all times twelve feet, and at ordinary high tide fourteen feet of water ; the anchorage

within the bar is firm and good. The depth of water within the point of the island varies from twelve to thirty feet for some miles up the bay, until you approach Red-Fish Bar, which bisects the bay in nearly equal parts. On this bar there are not more than five or six feet of water. The harbor, which lies on the inner side of the Island of St. Louis, is generally well sheltered from the winds.

The rivers of Texas are, the Sabine, the Netches, the Trinity, San Jacinto, Brasos, Colorado, La Baca, Guadalope, Nueces, and several others. The Trinity, (Trinidad) rises near the Red river of Louisiana, in its great western bend, and passing through Burnet's and Vehlein's Grants, empties into the bay of Galveston, running a course about 350 miles, through a rich and rolling country. The Trinity is supposed to be navigable during five or six months of the year, ordinarily from January to June, by steam-boats of 100 tons, for about 200 miles above its mouth. If there are any obstructions to its navigation, I am not aware of them, except a bar at its mouth carrying not more than two feet water at low tide, but which it is easily removed. The river Netches also rises near Red river, and traversing Burnet's and part of Vehlein's it enters Zavala's grant, and discharges into the Sabine bay. The Netches is navigable by the smaller class of steam-boats for about 75 miles, and by keel-boats, some 30 or 40 miles further. Both these rivers, and indeed all the rivers of Texas, as of the west generally, are liable, occasionally, and at some points, to overflow their banks. But these periodical inundations are nothing like as extensive as are those of the Mississippi, and its prodigious tributaries. The beds of the Trinity and Netches are remarkably deep, and the waters usually recede within the banks early in the spring, and are never productive of the deleterious exhalations which so fatally infect the atmosphere of Louisiana. These rivers water a country that is seldom exceeded in fertility of soil, or beauty of aspect. The bottom lands are composed of the richest alluvion, and are thickly set with timber, or dense cane-brakes, and sometimes both. The uplands are generally good, and much of them characterised by a deep luxuriant loam. The crops most congenial to the soil and climate in the grants of Zavala and Vehlein, which bound on the gulf, in latitude 29° and 30° are Sugar, Cotton, Indigo, Rice, Tobacco, and all the fruits common to the temperate zone, as Oranges, Lemons, Grapes, Olives, Prunes, Figs, &c. &c. Burnet's grant which adjoins the latter on the north will yield Cotton and Tobacco, together with Wheat, Rye, Oats, Barley, and all the small grains, and the fruits and vegetables common to the United States. Indian corn grows luxuriantly all over the country, and with the same carefulness of tillage will yield as plentifully as in Kentucky or Ohio.

The three contiguous and now united grants of Zavala, Velez, and Burnet, comprehend the best wooded and the best watered portions of Texas. The surface is greatly variegated with woodland and prairies or natural meadows, containing from 100 to 1000, and some places 10,000 acres in one body. Many of these primordial *clearings* present very eligible and picturesque sites for buildings, and render a bountiful harvest to the plough of the cultivator. Unlike the pioneer settlers in the western wilds of the United States, emigrants to Texas, will not have to encounter years of arduous labor in subduing heavy and obstinate forests; but they will be able, in almost every instance, to procure a portion of good prairie, for present cultivation, without any preparatory labor but that of burning the grass with which they are thickly carpeted. The face of the country in these grants is generally rolling with very few *dead levels*, on which the water rests and stagnates, and has no broken or precipitous hills, or arid plains, that may not be profitably ploughed and planted. No country can be better adapted to the culture of the vine than this. The poorest description of land in it, is admirably suited for vineyards, and it will, it is anticipated, in no very remote period, rival the choicest productions of France and Italy in wines and fruits. The native grapes are found growing luxuriantly in all quarters, and many of them are of exquisite flavor; while those of Arkansas and Louisiana, owing to the greater humidity of the atmosphere in those regions, are comparatively acrid, and liable to untimely blights. For the same and other analogous reasons, Cotton and the Sugar-cane flourish better, and arrive at greater perfection in Texas, than in either of those countries. The Cotton is of a finer texture, a longer staple, more silky, and is confessedly worth 25 per cent. more in New-Orleans; and in respect of productiveness, Texas has at least 25 per cent. the advantage. The Sugar-cane grows larger and taller in the stalk, and possesses the saccharine matter in larger proportions and greater purity.

The timber, in these grants, includes many varieties, among which are several kinds of Oak, Hickory, Black Walnut, Ash, Wild Cherry, Mulberry, Elm, Hackberry, Pecan, Linn, Gum, Yellow Pine, &c. &c. Cypress is found on the Natches and the Sabine, but whether in large quantities I am not informed. Live Oak abounds in some parts of Texas, and grows to a large size, and will constitute a valuable article of merchandise. Red Cedar is found on some of the uplands, and like the Live Oak, furnishes an excellent material in naval architecture. The Pine grows large and lofty, and will be immensely valuable for lumber. It is most frequently found interspersed with other varieties of timber, as Hickory, Oak, &c. which indicate a good soil. Indeed this description of land, some of which occurs on the Trinity, in Veh-

lein's grant, has been ascertained by successive experiments, to yield good crops of Sugar, Cotton, and Corn.

One distinctive characteristic of this beautiful country is its exemption from swamps and stagnant pools. The land invariably ascends from the water courses, and rising to moderate eminences, precludes the formation of swamps or putrid ponds, to any injurious extent. This probably is one efficient cause of the singular purity, elasticity, and equability of the atmosphere. While the midsummer air of Louisiana is encumbered with moisture and surcharged with noxious miasma, the pure atmosphere of Texas is renewed and refreshed by lively breezes, fresh from the ocean, rolling over a dry, verdant, waving surface, and imparting health and vigor to all that inhale them. I do not design to portray Texas as a paradise of immortality. Man is mortal by the tenure of his existence, and must die there, as elsewhere. But that it is blessed with a climate of uncommon salubrity and delightfulness, is an opinion warranted by the observations of all travellers, and obviously accounted for by its locality and configuration. That some parts of it will be more or less sickly is quite probable, indeed it would be strange were it not so. Bilious and intermittent fevers are incident to all southern latitudes, and *very few* northern ones are exempt from them. But there are few regions, either north or south, where bilious fevers are of a milder type or more within the control of medicine, than are those which occur in Texas; and but few, if any, chronic diseases originate there. Lest I should be supposed to exaggerate, which I certainly do not intend, I will quote the authority of the late General Pike, who travelled through Texas, in 1807, and who, in his journal, under the head of Texas, says, "It is one of the most delightful temperatures in the world. The province is well timbered for 100 miles from the coast, from the Sabine to the Nueces, but has none, or very little timber from the Nueces to the Rio del Norte, and has some small prairies interspersed through its timbered lands: but *take it generally it is one of the richest and most prolific and best watered countries in North America.*"

The three grants of Zavala, Vehlein, and Burnet, are exceedingly well watered. Besides the Trinity and the Netches, there are several smaller rivers, as the Angelina, the Attoyeac, the Sabine, the San Jacinto, Old River; and numerous creeks and bayous that intersect and refresh the land in all directions. The upper, (Burnet's,) abounds in Springs of the purest water, and they are not unfrequent in the lower districts. The rivers are well furnished with fish of different sorts. The Red-Fish abound in Galveston Bay, insomuch that a bar, which intersects it, takes its name from them. They ascend the streams for some distance but I believe are not found above tide-water. It is a fish of excellent flavor, weigh-



ing from five to fifty pounds, and takes the hook with all the voracity of a pike. Oyster beds are abundant along the coast, and at most of the inlets. The oysters are fine and sometimes large, and may be conveniently gathered. In the winter season, the waters near the coast are literally covered with wild fowl, such as Ducks, Geese, Brant and Swan. Geese and Ducks resort in great numbers to the interior waters. Deer and Wild Turkeys are common every where. The black Bear is frequently found in the forests and cane-brakes. Wolves, of several varieties, infest the country and will for some time be troublesome visitants; but they soon retire from the haunts of man. The Pecari, or wild hog, is occasionally met with in small gangs. They are of no value and will soon disappear. Some Panthers and Wild Cats skulk in the thickets. They are not, however, numerous and will soon be exterminated. Buffalo are seldom seen near the sea-coast. They descend in large herds from the Arkansas and Missouri, and furnish the principal sustenance of the Indians of the interior of Texas. Wild Cattle and Horses roam over the country: they abound particularly on the river Nueces, and far in the interior. Within the organized settlements they are not numerous, and are rapidly diminishing. The horses are often caught in droves by being driven into pens constructed for that purpose: and when taken young, under four years old, are easily subdued and domesticated. Many of them are animals of fine figure, but they are generally inferior in size to the blood horses of this country. They are of all colors, are hardy and active, and better adapted to the saddle than to harness. Mingled with the herds of *Mustangs*, or wild horses, are frequently seen Jacks, Jennies, and Mules. Mules and horses were formerly raised in great abundance, and made a principal part of the exports of the country and will soon again become a lucrative branch of business, as it is attended with little labor and trifling expense. Good Jacks can be purchased in the neighborhood of the Rio Grande for about \$20, and good unbroken Mares, which are equally as valuable as broken ones, can be had at two to five dollars per head, and driven into Texas at an expense, including all risks, estimated at about 25 per cent. on the first cost. A capital stock once obtained, and the subsequent expenses are trifling; the increase sure and valuable. The whole face of the country, woodland and prairie, upland and bottom, is verdant with grass; and throughout the winter season, the bottom-lands and cane-brakes, afford a fresh and apparently inexhaustible pasturage for the black cattle, to the raising of which, some of the emigrants have lately turned their attention. The stock will seldom require even the slight trouble of salting, as *licks* are common and their instinctive propensities will soon find them out. Where they are confined to cane-brakes, it will be advisable to use salt occasionally, on account of the constipative quality of that food; but when they feed alternately on grass and cane it is less necessary. It

has been said and not without reason, that it will cost more to raise a brood of chickens in Texas, than an equal number of cattle. The one is feeble and dependent, and confined to the precincts of the house, where its natural means of sustenance are soon exhausted, and it must be fed and protected. The others range abroad; are nourished and defended by their respective dams, who, feeding on the untilled and ungarnished harvests of nature, are very soon competent to protect and support themselves.

The horses, mules, black cattle, hogs, and sheep of Texas will always find good markets in the West India Islands and in Louisiana. In many parts of Texas hogs may be raised in great numbers, on the native mast. Acorns, pecans, hickory nuts, &c., with the several varieties of grass and many kinds of roots, afford them ample sustenance throughout the year. But these advantages are incidental and peculiar to a *new* country, and will of course gradually disappear as the settlements become compact and the ground is occupied. They nevertheless contribute much to the comfort and prosperity of early settlers, and will, for years to come, be measurably enjoyed in the territory under consideration. There are but few sheep at present in the southern part of Texas. They are raised in large herds on the prairies of the northern part near the Rio Grande; but the wool is not of the best kind. In all the middle and maritime districts, the herbage is generally too luxuriant, and the temperature is too high for that delicate and fastidious animal, but the interior and hilly regions are susceptible of being converted into as ample and well provisioned sheep-walks, as any country in the world, and I should judge the climate to be happily adapted to the merino breed.

Texas is not only an agricultural and a stock producing country, but it abounds in valuable metals and other fossils. Many rich specimens of silver ore have been found, and there is no question that this metal exists in large quantities. Tradition speaks of gold. The master metal, iron, has been discovered in many places, and not remote from navigable water. Lead has been found, without being sought for; and whether it occurs frequently, or in large quantities, I am not informed. I have seen samples of copper ore, taken from the head waters of the Brasos, that were almost pure. Indications of stone coal have been casually observed. Salt springs have been discovered in several places, and salt lagoons are spread over much of the country on the sea board between the river Nueces and the Rio Grande. The water of the Brasos is sometimes perceptibly impregnated with salt, which proceeds from an immense depository of that mineral near its source. In Burnet's grant on the waters of the Netches, there is a copious salt spring, the water of which is said to be so strong that common salt is not soluble in it. It spreads over a surface of several hundred yards, and the ground is thickly

incrusted with it by natural evaporation. Salt is made in considerable quantities at the mouth of the Brasos. The water is extracted from a well about 20 feet deep, in the salt marshes which line the coast in that quarter. In short, Texas is abundantly furnished with this indispensable article. Many years will not elapse, before the minerals of Texas will attract the attention of mineralogists whose researches will probably lead to developements of yet unexplored and incalculable riches. It was a part of the colonial policy of the ancient government, induced by the proximity of the country to the United States, to prohibit all such investigations within this frontier Province.

Among the inducements to emigration presented by this interesting country, the facility and cheapness of access to it, are by no means inconsiderable. A passage from New-York to Galveston may be effected as soon, as cheaply, and as pleasantly, as to New-Orleans; and vessels of any size that can reach the one place, may have easy access to the other. Indeed, Galveston, as a harbor, is much superior to New-Orleans. The depth of water on the respective bars is about equal; but Galveston has an immense advantage in lying directly on the Gulf, and not requiring the costly aid of steam tow-boats to conduct shipping to its destined haven. The situation of Galveston for foreign commerce is very felicitous. The Gulf of Mexico is spread out before it. Cuba is near at hand, and all the Islands of the West-Indies are within a few days sail, as is also the entire coast of Central America, of Venezuela, and of Colombia. The current of the Gulf Stream, the great River of the Ocean, is at hand to sweep her vessels, with accelerated rapidity, to the eastern Atlantic. The ports of Matamoros, Tampico, Alvarado, Vera Cruz, and Campeachy, all within the government of Mexico, are open to her commerce, free of charges; and will always afford rich and extensive markets for the lumber, the provisions, and to some extent, for the cotton of Texas. Indian corn is never worth less than one dollar, and often commands from two to three dollars per bushel, at either of those ports. Beans, peas, potatoes, and other culinary vegetables, are always in demand, and may be produced in any desirable quantity, in either of the three colonies of Zavala, Vehlsein, and Burnet. No country promises a more ample remuneration to the industry of its inhabitants than this, and the laws of none holds forth stronger protection to the labor of respectable emigrants. Population she wants—sober, industrious, virtuous, republican population. With that, she will compete with the choicest sections of the globe, in all that is requisite to secure the happiness and prosperity of man.

DAVID G. BURNET.

THE  
CONSTITUTION  
OF THE  
MEXICAN UNITED STATES.

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THE Supreme Executive Power, provisionally appointed by the general sovereign Congress of the Nation, to all who shall see these presents, *Know, and understand*, That the same Congress has decreed and sanctioned the following

FEDERAL CONSTITUTION OF THE UNITED MEXICAN STATES.

In the name of God, all powerful, author and supreme legislator of society. The general constituent Congress of the Mexican Nation, in the discharge of the duties confided to them by their constituents, in order to establish and fix its political Independence, establish and confirm its Liberty, and promote its prosperity and glory, decree as follows :

CONSTITUTION OF THE UNITED MEXICAN STATES.

**TITLE 1st. ONLY SECTION.**—*Of the Mexican Nation, its Territory and Religion.*

**ARTICLE 1.** The Mexican Nation, is forever free and independent of the Spanish government, and every other power.

2. Its Territory consists of that, which was formerly called the vice-royalty of New-Spain, that styled the captain generalship of Tucaton, that of the commandant generalship formerly called the Internal Provinces of East and West, and that of Lower and Upper Caliaformia, with the lands annexed, and adjacent islands in both seas. By a constitutional law, a demarkation of the limits of the Federation will be made as soon as circumstances will permit.

3. The Religion of the Mexican Nation, is, and will be perpetually, the Roman Catholic Apostolic. The Nation will protect it by wise and just laws, and prohibit the exercise of any other whatever.

**TITLE 2d. ONLY SECTION.**—*Form of Government of the Nation, of its integral parts and division of Supreme Power.*

4. The Mexican Nation adopts for its Government, the form of Republican representative, popular Federal.

5. The parts of this Federation, are the States and Territories as follows :—The State of of the Chiapas, Chihuahua, Coahuila and Texas, Durango, Guanajuato, Mexico, Michoacan, New Leon, Oajaca, Puebla de los Angeles, Quetaro, San Luis Potosi, Sinora and Sinaloa, Tobasco, Tamaulipas, Vera Cruz, Xalisco, Yucatan Tacatecas ; the Territory of Upper Caliafornia, Lower Caliafornia, Colima and Santa Fe of New Mexico—a constitutional law shall fix the character of Tlaxcala.

6. The supreme power of the Federation will be divided for its exercises, in Legislative, Executive, and Judicial.

**TITLE 3d. SECTION 1st.**—*Legislative power, of its nature and the mode of exercising it.*

7. The legislative power of the Federation, shall be disposed in a General Congress, this to be divided in two houses, one of Deputies (Representatives) and the other of Senators.

**SECTION 2d.**—*Of the House of Representatives.*

8. The House of Representatives shall be composed of representatives elected totally every two years, by the citizens of the States.

9. The qualifications of the electors shall be constitutionally prescribed by the Legislatures of the States ; to whom, likewise, appertains the regulation of the elections, in conformity with the principles established by this Constitution.

10. The general basis for the appointment of representatives, shall be the population.

11. For every 80,000 souls, one representative shall be appointed, or for a fraction which passes 40,000. The State which may not contain this population, shall, notwithstanding, appoint one representative.

12. A census of the whole Federation, which shall be formed in five years and renewed every ten, shall serve to designate the number of Deputies corresponding to each State ; and in the mean time, it shall be regulated agreeably to the basis established in the former Article, by the census which governed in the election of Deputies in the present Congress.

13. In the same manner shall be elected in each State, the necessary number of supernumerary representatives, in the ratio of one for every three full representatives, or for a fraction amounting to two ; the States which may contain less than three full representatives shall elect one supernumerary.

14. The Territory which may contain more than 40,000 inhabitants, shall appoint a full representative and one supernumerary, who shall have a voice and vote in the formation of laws and decrees.

15. The Territory which may not contain the foregoing number of population, shall appoint one full representative and one

supernumerary, who shall be entitled to a voice in all matters. The election of Representatives for the Territories shall be regulated by a special law.

16. In every State and Territory of the Federation, the appointment of Representatives shall be made on the first Sunday in October previous to its renovation. The election to be indirect.

17. The election of Representatives concluded. The electoral college shall remit through their President to the Council of Government, a legal return of the election, and notify the elected of their appointment by an official letter, which shall serve as a credential of election.

18. The President of the Council of Government shall give to the returns, referred to in the preceding Article, the direction prescribed by the regulations of said Council.

19. To be a Representative it is required—First, To be at the time of the election, twenty-five years of age, complete. Second, To have been a resident of the State, from which elected, at least two years, or born in the State, although a resident in another.

20. Those not born in the Territory of the Mexican Nation, to be Representatives, must have, besides eight years' residence in it, \$000 dollars of real estate in any part of the Republic, or an occupation that produces them 1000 per year.

21. Exceptions to the foregoing Article—First, Those born in any other part of America, that in 1810 appertained to Spain, and has not united itself to another nation, nor remains subject to the former, to whom three years' residence in the Territory of the Federation is sufficient, in addition to the requisite prescribed in the 19th Article. Second, The military not born in the Territory of the Republic, who, with arms, sustained the independence of the country, eight years' residence, complete, is sufficient, and the requisites prescribed in the 19th Article.

22. In the election of Representatives, actual residence shall have preference over birth and non-residence.

23. Those cannot be Representatives—First, Those deprived or suspended from the rights of citizenship. Second, The President and Vice-President of the Federation. Third, The members of the Supreme Judicial Court. Fourth, Secretaries of the Cabinet and the officers of their departments. Fifth, Those employed in the Treasury, whose functions extend over the whole Federation. Sixth, Governors of States and Territories, Commandant Generals, Archbishops and Bishops, Governors of Archbishoprics and Bishoprics, Provisors and Vicar Generals, Circuit Judges, Commissary Generals of treasury and war, for the States and Territories over which they exercise their functions.

24. In order that any person enumerated in the foregoing Article may be eligible, it is necessary they should have ceased their functions six months previous to their election.

SECTION 3d.—*Of the Senate.*

25. The Senate shall be composed of two Senators from each State, elected by an absolute majority of the votes of the Legislatures, and renewed by one-half every two years.

26. The seats of the Senators appointed in the second place, shall be vacated in two years, and the first appointed in four years, and so on in succession.

27. When a vacancy occurs by the death, resignation, or other cause, it shall be filled by the corresponding Legislature in session, if not, as soon as it meets.

28. To be a Senator it is necessary to possess all the qualifications required by the former Section, to be a representative, and moreover, to be at the time of election, thirty years of age.

29. No person can be a Senator, who is disqualified from being a Representative.

30. In the election of Senators, the 22d Article shall also govern.

31. When the same individual is elected for a Senator and Representative, the first election shall have the preference.

32. The periodical election of Senators shall be made in all the States on the same day, which shall be the first day of September previous to the renewal of half the Senators.

33. The election of Senators concluded, the Legislature shall remit a legal return through their President, to the President of the Council of Government; and notify the elected of their appointment, by means of an official letter, which shall serve them as credentials. The President of the Council of Government shall give the direction to these returns, indicated in the 18th Article.

SECTION 4th.—*Of the Individual Functions of both Houses, and Prerogatives of its Members.*

34. Each House in its preparatory meeting, and in every thing appertaining to its government, shall follow the rule formed by the present Congress; provided that amendments may be made to them in future, should both Houses consider it necessary.

35. Each House shall judge of the elections of its respective members, and resolve all doubts which may occur in them.

36. The Houses cannot open their sessions without the presence of more than the half of the total number of its members; but those present of one and the other, must unite on the day appointed for the regulation of the internal government of each, and respectively compel the attendance of the absentees, under the penalties prescribed by the law.

37. The Houses will communicate with one another, and with the Supreme Executive Power, by means of their respective Secretaries, or by means of deputations.

38. Either of the two Houses may sit as Grand Jurors, on accusations. First, Against the President of the Federation, for the crime of Treason against the National Independence or the established form of Government, or for subordination or bribery during the time of his service. Second, also, against the President, for acts manifestly intended to impede the election of President, Senators, or Representatives, or to prevent them from entering on the exercise of their duties in the manner prescribed in this Constitution, or to deprive the Chambers of the use of any of the powers constitutionally vested in them. Third, against the members of the Supreme Court and the Secretaries of the departments, for any crime committed during the time of their service. Fourth, against the Governors of the States, for infractions on the Federal Constitution, laws of the Union, or orders of the President of the Federation, which may not be manifestly contrary to the Constitution and general laws of the Union, and likewise by the publication of laws and decrees of the Legislatures of their respective States, contrary to the same constitution and laws.

39. The House of Representatives will exclusively form a Grand Jury, when the President or his ministers may be accused of acts in which the Senate or the Council of Government have concurred by reason of its attributions. The House will, in the same manner, serve as Grand Juror, in cases of accusation against the Vice-President, for any offence committed during the term of his service.

40. The House, before which has been made the accusations of the individual spoken of in the two preceding articles, will form itself in a Grand Jury, and if it is declared, by the vote of two-thirds of the members present, that there is cause of accusation, the functions of the accused shall be suspended, and he shall be placed at the disposition of the competent tribunal.

41. Any Representative or Senator, can make any propositions in writing, or present projects of a law or decree in his respective chamber.

42. The Representatives and Senators shall be inviolable for the opinions manifested in the discharge of their duties, and never can be called to account for them.

43. In all criminal prosecutions instituted against Senators or Representatives, from the time of their election until two months after the expiration of their term of service, the former shall be accused before the Chamber of the latter, and the latter before that of the former; each Chamber composing a Grand Jury respectively for this object.

44. If the Chamber sitting as a Grand Jury, in the cases referred to in the last Article, declare by a vote of two-thirds of the members present, that there is cause for accusation, the accused



shall be suspended and placed at the disposition of the competent tribunal.

45. The emoluments of the Representatives and Senators shall be determined by law, and paid from the general treasury of the Federation.

46. Each House, and also the meetings spoken of in the 36th Article, shall have power to deliver such orders as they may deem necessary to carry their resolutions into effect, issued by virtue of the functions granted to each by the 35th, 36th, 39th, 40th, 44th, and 45th Articles of the Constitution, and the President of the United States shall cause them to be executed without making any observations upon them.

SECTION 5.—*Of the faculties of the General Congress.*

47. Every resolution of the general Congress shall have the character of a law or decree.

48. The resolutions of the general Congress, to be entitled to the force of law or decree, must be signed by the President, except in cases otherwise provided in this Constitution.

49. The laws and decrees which emanate from the general Congress, shall have for object—First, to sustain the National Independence, and provide for the National security and preservation of its exterior relations. Second, to preserve the Federal Union of the States, and the peace and public order of the interior of the Federation. Third, maintain the independence of the States amongst themselves, in all that relates to their interior government, in conformity to the Constitutional Act, and this Constitution. Fourth, sustain the proportional equality of obligations and rights, which the States are entitled to before the law.

50. The exclusive faculties of the general Congress are the following:—First, promote illustration, assuring for a limited time, exclusive rights to authors for their respective works; establishing Colleges for marine, artillery, and engineers; erecting one or more establishments in which are to be taught, natural, political, and moral sciences, noble arts, and the languages, without prejudice to the power which the Legislatures have to regulate public education in their respective States. Second, promote the general prosperity, by opening and improving roads and canals, without impeding the States in the improvement of theirs; establishing mails and post-offices, and securing for a limited time, exclusive right to the inventors, perfectioners or introducers of any branch of industry, for their respective inventions, perfections, or new introductions. Third, protect and regulate the political liberty of the press, in order that its exercises may never be suspended, and much less abolished in any of the States and Territories of the Federation. Fourth, admit new States to the Federal Union or Territories, incorporating them in the Nation. Fifth, regulate definitively, the limits of the States, when they cannot agree among

themselves about the demarkation of their respective districts. Sixth, form States out of Territories, or unite them to those already existing. Seventh, unite two or more States, by a petition of their Legislatures, to form one only, or form a new one from the limits of those that already exist, with the approbation of three-fourths of the members present of both Houses, and a ratification of an equal number of the Legislatures of the other States of the Union. Eighth, fix the general expenses, establish the necessary contributions to cover them, regulate their collection, determine the inversion, and take annually accounts thereof from the Government. Ninth, contract debts upon the credit of the Federation, and designate guarantees to cover them. Tenth, acknowledge the National debt, and designate means for its consolidation and payment. Eleventh, regulate the commerce with foreign nations, and among the different states and tribes of Indians. Twelfth, give instructions to celebrate covenants with the Apostolic Chair, approve them for their ratification, and regulate the exercise of the patronage in all parts of the Nation. Thirteenth, approve treaties of peace, alliance, friendship, federation, armed neutrality, and whatsoever others which the President of the United States may celebrate with foreign powers. Fourteenth, to establish all kind of ports, custom-houses, and designate their locations. Fifteenth, determine and regulate the weight, standard, value, type and denomination of money in all the States of the Federation, and adopt a general system of weights and measures. Sixteenth, declare war after examining the data prescribed by the President of the United States. Seventeenth, form regulations relative to granting letters of marque and reprisal, and to declare good or bad captures by sea and land. Eighteenth, designate the armed force of sea and land, fix the respective quota of men to each State, and give orders and regulations for their organization and service. Nineteenth, form regulations to organize, arm, and discipline the local militia of the State, reserving to each one the appointment of their respective officers, and the faculty of training them conformably to the discipline prescribed by said regulations. Twentieth, to grant or deny the entrance of foreign troops in the Territory of the Federation. Twenty-first, permit or not, the station of squadrons of any other power, for more than one month, in the Mexican ports. Twenty-second, permit or not, the departure of National troops without the limits of the Federation. Twenty-third, create or suppress public offices of the Federation, designate, augment or diminish their emoluments and pensions. Twenty-fourth, grant premiums and recompenses to corporations or persons who have rendered important services to the Republic, and decree public honors to the posthumous memory of great men. Twenty-fifth, grant amnesty or pardon for crimes, the cognizance of which appertains to the tribunal of the Federa-

tion, in the cases, and with the previous requirements prescribed by law. Twenty-sixth, to establish a general law of naturalization. Twenty-seventh, to give uniform laws in every State, on the subject of bankruptcies. Twenty-eighth, to select a place to serve as a residence for the supreme powers of the Federation, and exercise within its limits the attributions of the legislative powers of the State. Twenty-ninth, to change such residence when they may deem it necessary. Thirtieth, give laws and decrees for the regulation of the interior administration of the Territories. Thirty-first, dictate all the laws and decrees that may be conducive to fulfil the object spoken of in the 49th Article, without interfering with the interior administration of the State.

SECTION 6th.—*Formation of the Laws.*

51. The formation of laws and decrees can proceed indiscriminately from either of the two Houses, with the exception of those which arise from contributions or imposts, which cannot have origin except in the House of Representatives.

52. There shall be considered as incipients of law or decree—First, the propositions which the President of the United Mexican States may deem conducive to the general good of society, and as such, particularly recommend them to the House of Representatives. Second, the propositions or plans of laws or decrees which the Legislatures may direct to either House.

53. All projects of a law or decree, without any exception, shall be successively discussed in both Houses, observing in each with exactitude, the rules relative to the form of debates, interval and mode of proceeding in discussing and voting.

54. The projects of a law or decree rejected in the House where it originated, before being sent to the other House, shall not be renewed in the same House by its members in the sessions of that year, but must remain until the following year.

55. If the project of a law or decree, after having been debated, should be approved by the absolute majority of the members present of both Houses, shall be passed to the President of the United States, who also, if he approves it, shall sign and publish it, and if not, return it, with his observations, within the term of ten days, (Sundays and solemn festivals excepted,) to the House of its origin.

56. The project of a law or decree, returned by the President in conformity with the preceding Article, shall be a second time discussed in the two Houses. If in both of these it should be approved by two-thirds of the members present, it shall be again returned to the President, who, without excuse, must sign it and publish it, but if it was not approved by the vote of two-thirds of both Houses, it cannot be renewed in either of them until the next year.

57. If the President does not return any project of a law or decree within the time prescribed in the 55th Article, it shall, from that circumstance be considered as sanctioned, and as such shall be promulgated, unless in the mean time, the session of Congress should be closed or suspended, in which case the return must be made on the first day in which Congress shall be re-assembled.

58. The project of a law or decree, totally rejected for the first time by the House to which it has been sent, shall be returned with their observations to the one in which it originated, if after a re-examination the said House shall again approve of it by a vote of two-thirds of the members present, it shall be sent a second time to the House that rejected it, who cannot a second time reject it without the concurrence of two-thirds of the members present.

59. The projects of a law or decree, approved of after a second revision by two-thirds of the members of the House where it originated, and not rejected by two-thirds of the members of the other House, shall be sent to the President, who shall sign and publish it, or return it within ten days (Sundays, &c. excepted) to the House where it originated, with his observations.

60. The project of a law or decree, which according to the foregoing Article, the President returned to the House of its origin, it shall be again taken into consideration, and if this approves it by a vote of two-thirds of the members present, and the revising body does not reject, by an equal number of its members, it shall be returned to the President, who must publish it. But if was not approved by the vote of two-thirds of the House of its origin, or was rejected by an equal number of the revising body, it cannot be renewed until the ordinary subsequent sessions.

61. In the event of the rejection a second time of the revising body, in conformity with the 58th Article, the project shall be considered rejected, and cannot be reconsidered until the following year.

62. In the amendments which the revising body make to any project of a law or decree, there shall be observed the same formalities required before the project of a law can be sent to the President.

63. The parts of a project of a law or decree rejected for the first time by the revising body, shall take the same course as those totally rejected by it for the first time.

64. In the interpretation, modification, or revocation of the laws or decrees, the same requisites shall be observed which are prescribed for their formation.

65. All resolutions of the general Congress communicated to the President of the Republic, must be signed by the President of both Houses and by a Secretary of each one of them.

66. For the formation of every law or decree, it is necessary that an absolute majority of all the members of each House should be present in their respective Houses.

SECTION 7th.—*Of the time, duration and place of the Sessions of the General Congress.*

67. The general Congress shall meet every year on the first day of January at the place designated by law; its internal rules shall prescribe the previous forms necessary at the opening of its sessions, and the formalities which are to be observed at its installation.

68. The President of the Federation shall assist at the installation, and pronounce a discourse analogous to this important act, and the person who presides in Congress, shall answer it in general terms.

69. The ordinary sessions of Congress shall be daily, without any other interruption than that of the days of solemn festival, and in order to adjourn for more than three days, the consent of both Houses shall be necessary.

70. Both Houses shall reside in the same place, and cannot move to another, without first agreeing on the removal, the time and manner of effecting it, designating the same point, for the reunion of one and the other. But if they agree on a removal, and differ as to the time, mode, and place, the President of the States shall determine the difference, electing one of those in question.

71. The Congress shall close its sessions annually on the 15th day of April, with the same formalities as are prescribed for its opening, proroguing the session 30 days, (Sundays and solemn festivals excepted) when they may deem it necessary, or when the President of the Federation requires it.

72. When the general Congress is assembled for extraordinary sessions, it shall be formed of the same Representatives and Senators as the ordinary sessions of that year, and shall occupy itself exclusively on the object or objects for which it was convened; but if these should not be completed on the day in which the ordinary sessions are to commence, the extraordinary sessions shall cease, and the subject pending shall be determined by Congress in said ordinary sessions.

73. The resolution that the Congress take relative to the removal, suspension, or prorogation of their sessions, agreeably to the three preceding Articles, shall be communicated to the President, who shall cause them to be executed without making any observations upon them.

TITLE 4th. SECTION 1st—*Of the Supreme Executive Power of the Nation.*

74. The supreme executive power of the Federation shall be deposited in one individual, who shall be styled *President of the United Mexican States*.

75. There shall likewise be a Vice President, on whom will devolve the faculties and prerogatives of the President, in case of his physical or moral inability to serve.

76. To be President or Vice President, it is required to be a Mexican citizen by birth, thirty-five years of age at the time of the election, and to be a resident in the country.

77. The President cannot be re-elected for this office, until after four years are passed from the time of his retirement.

78. He that is elected President or Vice President of the Republic, shall accept these offices in preference to any others.

79. The first day of September, anterior to the year in which the new President must enter on the exercise of his duties, the Legislatures of each state shall elect by an absolute majority of votes two individuals, one of which, at least, must not be a native of the State that elects.

80. The voting concluded, the Legislatures shall remit to the President of the Council of Government, a legal return of the election, in order that he may give it the course designated by the rules of the Council.

81. The sixth of January afterwards, the said returns shall be read in presence of both Houses united, provided those of three-fourths of the Legislatures of the States have been received.

82. The reading of said returns concluded, the Senators shall retire, and a committee appointed by the House of Representatives, and composed of one for each State of those that have representatives present, shall revise them and render an account of the result.

83. The House shall then proceed to class the elections and enumerate the votes.

84. He who has an absolute majority of the votes of all the Legislatures shall be the President.

85. If two should have said majority, he shall be President who has the most votes, and the other the Vice President. In case of a tie with said majority, the House of Representatives shall elect one of the two for President and the other shall be Vice President.

86. If no one should have the absolute majority of the votes of the Legislatures, the House of Representatives shall elect the President and Vice President, choosing in each election, one of the two which had the greatest number of suffrages.

87. When more than two individuals have a respective majority and equal number of votes, the House shall choose from them the President or Vice President as the case may be.

88. If one has received the respective majority, and two or more have an equal number of suffrages but greater than the others, the House shall elect from among those who have the greatest number of votes.

89. If all have an equal number of votes, the House shall elect

from among them all, the President and Vice President, doing the same when one has a number of suffrages and the others an equal number.

90. If there should be a tie upon the voting of the classing of the elections made by the Legislatures, the vote shall be repeated once, and if it should result in a tie, shall decide it by lot.

91. In the competitions between three or more that have an equal number of votes, the voting shall be directed to the reduction of the competitors to two or one, in order that in the election he may contend with the other, that may have obtained a relative majority over all the others.

92. For a general rule in voting, relative to the election of President and Vice President, they shall not refer to lots before having made a second vote.

93. The voting on classifications of elections made by the Legislatures, and on those made by the House of Representatives for President and Vice President, shall be made by States, the representation of each one having a single vote, and in order that there may be a decision in the House, it must contain an absolute majority of the votes.

94. In order to deliberate on the objects contained in the foregoing Article, there must be united in the House more than the half of the total number of its members, and be present, representatives from three-fourths of the States.

SECTION 2d.—*Duration of the office of President and Vice President, manner of filling the vacancies of both and their oath.*

95. The President and Vice President of the Federation shall enter upon the discharge of their duties on the first of April, and shall be replaced precisely on the same day every four years by a new constitutional election.

96. If for any motive, the elections of President and Vice President are not made and published by the first of April, when they ought to take their seats, or those elected should not immediately enter upon the discharge of their duties, nevertheless, the former ones shall go out of office the same day, and the supreme executive power shall be deposited, provisionally, in a President, that shall be elected by the House of Representatives, voting by States.

97. In case the President should be indisposed, then the provisions in the preceding Article shall have effect, and if both should be at the same time, and Congress not being in session, the Supreme Executive Power shall be deposited in the hands of the Chief Justice of the Supreme Court, and two individuals that shall be elected by an absolute plurality of votes by the Council of Government; these are not to be members of the general Congress, and are to have the qualities requisite to be a President of the Federation.

98. Until the elections are made to which the preceding Articles allude, the Chief Justice of the Supreme Court shall be charged with the Supreme Executive Power.

99. In case of the perpetual inability of the President and Vice President to serve, Congress, or in its recess, the Council of Government, will respectively provide according to Articles 96 and 97, and so dispose that the Legislatures proceed to the election of President and Vice President, according to the forms prescribed by the Constitution.

100. The elections of President and Vice President, made by the Legislatures, in consequence of the perpetual inability of those to serve who had been elected for these offices, shall not impede the ordinary elections the first of September every four years.

101. The President and Vice President newly elected, must be on the first day of April, in the place where the supreme powers of the Federation reside, and before both Houses assembled, swear to observe the duties imposed on them under the following form.

“I, N— Ellected President (or Vice President) of the United Mexican States, swear before God and the Holy Evangelists, that I will exercise faithfully, the charge the same U. S. have confided in me, and that I will keep, and cause to be kept exactly, the Constitution and general laws of the Federation.”

102. If neither the President or Vice President present themselves to swear as the preceding Article provides, and the sessions of Congress being open, they shall swear before the Council of Government as soon as each one presents himself.

103. If the Vice President takes the oath prescribed in Article 101, before the President, he shall enter immediately on the discharge of the duties of President until he shall have sworn.

104. The President and Vice President constitutionally appointed according to Article 99, and those individuals provisionally appointed to exercise the charge of President, according to Articles 96 and 97, shall be sworn as prescribed in Article 101, before both Houses, if assembled, if not, before the Council of Government.

#### SECTION 3d.—*Of the prerogatives of the President and Vice President.*

105. The President has the power to lay before Congress such propositions or amendments of laws as he may deem conducive to the general good, directing them to the house of Representatives.

106. The President has the power once in the space of ten days, (Sundays and solemn festivals excepted) to make observations upon the laws and decrees passed to him by Congress, suspending their publication until the resolution of Congress, except in the cases mentioned in this Constitution.

107. The President, during the time of his administration, can-



not be accused, except before either of the Houses, and only in crimes alluded to in Article 38, committed in the time therein expressed.

108. Within one year from the day on which the President ceases his functions, he cannot be accused except before one of the Houses for crimes alluded to in Article 38, or any others committed during the term of his administration, after this he cannot be accused for those crimes.

109. The Vice President, during the four years of his administration, cannot be accused except before the House of Representatives, for whatever crime he commits during the time of his administration.

SECTION 4th.—*Attributions of the President and the restrictions of his faculties.*

110. The attributions of the President are the following: First, to publish, circulate, and cause to be kept, the laws and decrees of the general Congress. Second, to give rules and decrees, and orders for the better observance of the Constitution, constitutional act and general laws. Third, to put into execution the laws and decrees directed to preserve the integrity of the Federation, and to sustain its Independence in its exterior, together with its union and liberty in its interior. Fourth, to name and remove freely, Secretaries of the departments. Fifth, to direct the collection of, and decree the inversion of general contributions agreeably to the laws. Sixth, to name the officers of the Treasury department, and those of the commissary generals, diplomatic ministers, and consuls, colonels and other superior officers of the permanent army, active militia and navy, with the approbation of the Senate, and should it not be in session, with the Council of Government. Seventh, to name all other officers of the permanent army, navy and active militia, and officers of the Federation, conformably to the laws. Eighth, to appoint, after previous recommendation from the Supreme Court, Judges and Attorney Generals of the Circuit and District. Ninth, to grant discharges, grant licenses, and regulate military pensions according to law. Tenth, to dispose of the permanent armed force by sea and land, and the active militia for the security of the interior and defence of the exterior of the Federation. Eleventh, to dispose of the local militia for the same purposes, but to take them out of their respective States or Territories, it will require the previous consent of Congress, who will also designate the force necessary. Should Congress not be assembled, the consent of the Council of Government will be necessary, and who will also designate the number. Twelfth, to declare war in the name of the United Mexican States, after a previous decree of Congress to that effect, and to grant commissions to Privateers in conformity with the laws. Thir-

teenth, to celebrate covenants with the Apostolic Chair, as designated in clause 12th of Article 50. Fourteenth, to direct diplomatic negotiations, and to celebrate treaties of peace, amity, alliance, truce, federation, armed neutrality, commerce, and all others, but to give or deny the ratification of any of them, requires the approbation of the general Congress. Fifteenth, to receive Ministers and other envoys from foreign nations. Sixteenth, to request Congress to prorogue their sessions for thirty days, (Sundays &c. excepted.) Seventeenth, to assemble Congress for extraordinary sessions, as he may deem the case necessary, by the consent of two-thirds of the Council of Government present. Eighteenth, also to assemble an extraordinary session of Congress, when the Council of Government shall deem it necessary, and the vote of two-thirds of the members present, is given to that effect. Nineteenth, to see that justice is promptly and impartially administered by the Supreme Courts, Tribunals, and inferior courts of the Federation, and that their sentences be executed according to law. Twentieth, to suspend from their employments, for the space of three months, and deprive one half of their pay for the same time, all officers belonging to the Federation, violaters of its orders and decrees; and should there be cause for a prosecution against such officers, he shall place the subject before its proper tribunal. Twenty-first, to grant the passage, or retain the decrees of the Ecclesiastical Councils, Pontifical Bulls, Briefs and Rescripts, with the consent of the general Congress, if they contain general dispositions to be laid before the Senate, or in its recess, before the Council of Government, if containing governmental business, and before the Supreme Court of Justice, if it is a subject of litigation.

111. The President, in publishing laws and decrees, shall use the following form: "The President of the United Mexican States, to the inhabitants of the Republic, *Know*, that the general Congress have decreed the following: (here the subject) Therefore, I command that it be printed, published, and circulated, and that due compliance be given it.

112. The restrictions of the faculties of the President are the following: First, the President cannot take command of the forces by sea or land in person, without the previous consent of the general Congress, or should it not be in session, without the Council of Government, by a vote of two-thirds of the members present. When he takes the command with these requisites, the Vice-President shall administer the Government. Second, the President has not the right to deprive any one of his liberty nor inflict punishment on any individual but when the safety of the Federation requires it, he can arrest any person provided he places the person, arrested, within 48 hours, at the disposition of the competent judge or tribunal. Third, the President cannot occupy the property of any individual or corporation, or disturb

the possession, use, or benefit of it; and should it be necessary for the public good, to take the property of any individual or corporation, it will require the approbation of the Senate, or in its recess, the approbation of the Council of Government, indemnifying the party interested, by the decision of men chosen by the party and the Government. Fourth, the President cannot impede the elections and other acts expressed in the last clause of the 38th Article. Fifth, the President or Vice President, cannot leave the Territory of the Republic without the consent of Congress, during the discharge of their duties, and for one year after they retire from office.

SECTION 5th.—*Of the Council of Government.*

113. During the recess of Congress there shall be a council of Government, composed of one half of the members of the Senate, one for each State.

114. For the first two years, this Council of Government shall be composed of the first members elected by their respective Legislatures, and the succeeding year by the oldest members.

115. This Council shall have for President, the Vice President of the United States, and also have the power to elect a President pro tem. to fill the vacancy occasioned by the absence of the other.

116. The attributions of this Council are the following: First, to see that the Constitution is strictly observed, and the constitutional act, and general laws, and to give their advice in any incident relative to these objects. Second, to lay before the President any observations conducive for the better compliance of the Constitution and laws of the Union. Third, to determine of themselves only, the advice of the President, the calling of extraordinary sessions of Congress; but in either, it shall require the vote of two-thirds of the counsellors present, as stated in attributions 17 and 18, of Article 110. Fourth, to grant their consent to the calling out of the local militia, in the manner stated in Article 110, attribution 11. Fifth, to approve the appointment of officers designated in attribution six of Article 110. Sixth, to give their consent in the case referred to in Article 112, restriction first. Seventh, to name two individuals who shall, in conjunction with the Chief Justice of the Supreme Court, provisionally exercise the Supreme executive Power, as prescribed in Article 97. Eighth, to administer the oath stated in Article 101, to those individuals of the Supreme executive Power, in the terms provided in this Constitution. Ninth, to give their opinion on subjects referred to them by the President, by virtue of the 21st faculty of Article 110, and all business wherein he may consult them.

SECTION 6th.—*Of the despatch of Government business.*

117. For a despatch of government business of the Republic,

there shall be the number of Secretaries of State, which Congress by a law may establish.

✓ 118. All the regulations, decrees, and orders of the President, must be signed by the Secretary of State of the department to which the subject belongs, and without this pre-requisite they shall not be obeyed.

119. The Secretaries of State shall be responsible for the acts of the President, unauthorized by their signatures, contrary to the Constitution, constitutional act, and general laws and constitutions of the States.

120. The Secretaries of State shall give to each House, as soon as their annual sessions are opened, an account of the state of their respective departments.

121. To be a Secretary of State it is necessary to be a Mexican citizen by birth.

122. The Secretaries of State shall form a regulation for the better distribution and direction of their duties, which shall be passed by the Government to the Congress for their approbation.

**TITLE 5th. SECTION 1st.**—*Of the Judicial Power of the Confederation.*

123. The Judicial Power of the Federation shall reside in one Supreme Court of Justice, and in the Circuit and District Courts.

**SECTION 2d.**—*Of the Supreme Court of Justice, the election, term of service, and oath of its members.*

124. The Supreme Court of Justice shall be composed of eleven members divided into three halls, and one Attorney General. Congress may augment or diminish its number as they deem necessary.

125. To be elected a Judge of the Supreme Court of Justice, it is necessary to have been instructed in the science of public rights, according to the judgments of the Legislatures of the States, to be 35 years of age, to be a native born citizen of the Republic, or born in any part of America, which in 1810, was dependent on Spain, and has separated from her, provided they have been five years resident within the territory of the Republic.

126. The Judges of the Supreme Court of Justice shall hold their offices during good behaviour, and can only be removed in the mode prescribed by the laws.

127. The Election of the Judges of the Supreme Court of Justice shall be made on the same day by the Legislatures of the States, by an absolute majority of votes.

128. The elections concluded, each Legislature shall remit to the Council of Government a certified list of the twelve persons elected, designating which one of them was elected the Attorney General.

129. The President of the Council, as soon as he shall have received the lists from at least three-fourths of the Legislatures of the States, shall give them direction indicated by the rules of the Council

130. On the day designated, the Congress shall open and read the said lists in presence of both Houses united, after which the Senate shall retire.

131. In continuation, the House of Representatives shall appoint, by an absolute majority of votes, a committee, which shall be composed of one member from each State, from which there was any member present, to which committee the said lists shall be passed, who will revise and examine them, and render an account of the result ; and the House shall then proceed to class the election and count the votes.

132. The individual or individuals who may have received more than half the votes of the whole number of the Legislatures, without regard to the number of votes given by their respective members, shall be considered elected ; and the declaration of the house to that effect shall immediately entitle them to their seats.

133. Should those who may have received the necessary majority of votes agreeably to the last article, not amount to 12, the House shall elect the balance from those who had the highest number of votes before the Legislatures, observing in every thing relative to these elections the provisions of the first section of the 4th title, which treats of the election of President and Vice President.

134. Should a Senator or Representative be elected a Judge of the Supreme Court of Justice, his election to that office shall be preferred over the other.

135. When a vacancy occurs in a Supreme Court of Justice by perpetual inability, it shall be filled agreeably to this section, after a previous notification given by the Governor to the Legislature of the state of said vacancy.

136. The members of the Supreme Court of Justice on entering upon the exercise of the office shall take an oath in the presence of the President of the Republic, in the following form : " You swear to God our Lord, faithfully to discharge the duties and obligations confided to you by the nation—if you do this God will reward you, if otherwise he will punish you."

SECTION 3d.—*Of the attributions of the Supreme Court of Justice.*

137. The attributions of the Supreme Court are the following : First, to take cognisance of the difference which may arise between one and another state of the Federation, whenever it embraces a subject of litigation in which there must be a formal sentence, and those that arise between one state and one or more inhabitants of another, or between individuals about pretensions to lands under concession from states, without depriving the party of the right of

reclaiming the concession from the authority which granted it. Second, to terminate all disputes which arise, or contracts or negotiations made by the Supreme Government or its agents. Third, consult relative to publishing or retaining of Pontifical Bulls, Briefs, and Rescripts issued in matters litigant. Fourth, adjust any dispute that may exist among the tribunals of the Federation, and between these and those of the states, and those which may arise between the tribunals of one state and those of another. Fifth, to take connoissance ; First, of the prosecutions moved against the President and Vice President according to articles 38 and 39, after the previous declaration in article 40. Second, of the criminal prosecutions of the Representatives and Senators, indicated in article 43, after the previous declaration required in article 44. Third, of those against Governors of the states in the cases spoken of in article 38, in its third part, after the previous declaration required in article 40. Fourth, of those of Secretaries of State in conformity with articles 38 and 40. Fifth, of the civil and criminal affairs of the Diplomatic Ministers and Consuls of the Republic. Sixth, of the Admiralty cases, captures by sea, land, and contraband, of crimes committed on the high sea, of the offences against the United Mexican States, of those employed in the Treasury and Judiciary of the Federation, and of the infractions of the Constitution and general laws, as may be provided for by law.

138. A law shall regulate the mode and grade by which the Supreme Court of Justice shall take cognizance of the cases comprehended in this section.

**SECTION 4th.**—*Of the mode of judging the members of the Supreme Court.*

139. In order to judge the members of the Supreme Court, the House of Representatives shall elect, voting by States, in the first month of the ordinary sessions of each bienial, twenty-four individuals not appertaining to the general Congress, and who shall possess the qualifications required for Judges of the Supreme Court, from these there shall be elected by lot an Attorney General, and an equal number of Judges equal to that which composes the first Hall of the Court, and whenever it may be necessary the same House shall proceed, and in its recess, the Council of Government, to draw in the same manner Judges of the other Halls.

**SECTION 5th.**—*Of the Circuit Courts.*

140. The Circuit Court shall be composed of a Judge of the law and a prosecuting Attorney, both appointed by the Supreme Executive Power, proposed by the Supreme Court, and two Associate Judges, as the law may prescribe.

141. In order to be a Circuit Judge it is necessary to be a citizen of the Federation, and thirty years of age.

142. To these Tribunals, corresponds the cognizance of admiralty cases, captures by sea and land, contraband, crimes committed on the high sea, offences against the United Mexican States, cases of consuls, and civil cases whose value exceeds \$500, and in which the Federation are interested. By a law, shall be designated the number of these Tribunals, their respective jurisdictions, the mode, form, and grade, in which they must exercise their powers in these and other matters which come under the cognizance of the Supreme Court of Justice.

SECTION 6th.—*Of the District Courts.*

143. The United Mexican States shall be divided into a certain number of districts, and in each one of which, there shall be a tribunal presided by a judge of the law, which shall take cognizance without appeal, of all civil cases in which the Federation is interested, the amount of which does not exceed \$500, and shall have original jurisdiction in all cases in which the Circuit Courts have appellate jurisdiction.

144. In order to be a District Judge, it is necessary to be a citizen of the United Mexican States, and twenty-five years of age. The Judges shall be appointed by the President, proposed by the Supreme Court.

SECTION 7th.—*General Rules to which all the States and Territories in the Federation shall conform in the administration of Justice.*

145. In each one of the States of the Federation, full faith and credit shall be given to the acts, registers, and proceedings of the judges and other authorities of the other States. The general Congress shall regulate the laws by which said acts, registers, and proceedings shall be authenticated.

146. The sentence of infamy shall not extend beyond the criminal that may have merited it according to law.

147. There is forever prohibited the penalty of confiscation of estates.

148. There is forever prohibited all judgments by commission and all retro-active laws.

149. No authority shall apply any species of torture, whatever may be the nature or state of the prosecution.

150. No one shall be imprisoned, unless there is a reasonable ground to suppose him criminal.

151. No one shall be imprisoned on suspicion more than seventy hours.

152. No authority shall give an order for the search of any houses, papers, and other effects of the inhabitants of the Republic,

except in the cases expressly provided for by law, and in the form which it designates.

153. No inhabitant of the Republic shall be compelled to take an oath relative to his own acts in criminal affairs.

154. The military and ecclesiastics will remain subject to the authority under which they actually are, according to the existing laws.

155. No suit can be instituted, neither in civil or criminal cases, for injuries, without being able to prove, having legally attempted, the means of conciliation.

156. None can be deprived of the right of terminating his differences by means of arbitrators appointed by each party, whatever may be the situation of the controversy.

**TITLE 6th. SECTION 1st.**—*Of the individual government of the States.*

157. The government of each State shall be divided for its exercise in three powers, Legislative, Executive, and Judicial, and never can be united two or more of these in one corporation or person, nor the Legislature deposited in one individual.

158. The legislative power of each State shall reside in one Legislature, composed of the number of individuals which their respective constitutions may determine, to be elected popularly and removable, in the time and manner which said constitutions may designate.

159. The person or persons in whom the States confide their executive power, cannot exercise it except for a definite time, which shall be fixed by their respective constitutions.

160. The Judicial power of each state shall be exercised by the Tribunals that the Constitution may establish or designate, and all cases, civil or criminal, which appertain to the cognizance of those Tribunals, shall be terminated in them to final judgment and execution.

**SECTION 2d.**—*Of the obligations of the States.*

161. Each one of the States is obliged—First, to organize its interior government and administration, without opposing this Constitution nor the constitutional act. Second, to publish, by means of their Governors, their respective Constitutions, laws, and decrees. Third, to obey, and cause to be obeyed, the Constitution and general laws of the Union, and treaties made, and those that henceforward may be made, by the supreme authority of the Federation with any foreign Power. Fourth, to protect its inhabitants in the free use and liberty which they have to write, print, and publish their political ideas, without the necessity of license, revision, or approbation previous to publication, always taking care to observe the general laws on the subject. Fifth, to deliver immediately, the criminals of other states, to the authority which



reclaims them. Sixth, to deliver the fugitives of other states, to the person that justly reclaims them, or compel them in some other mode to satisfy the interested party. Seventh, to contribute for the consolidation and extinguishment of the debts acknowledged by the general Congress. Eighth, to remit annually to each one of the Houses of Congress, a general, circumstantial, and comprehensive note, of the ingress and egress in all the Treasuries they may have in their respective districts, with a relation of the origin of one and the other, of the situation in which are found the branches of industry, agriculture, commerce and manufactures, of the new branches of industry which they can introduce and extend, designating the means by which it can be obtained, and of their respective population and means of protecting and augmenting it. Ninth, to remit to both Houses, and in their recess, to the Council of Government, and likewise to the Supreme Executive Power, authorized copies of the constitutions, laws, and decrees.

SECTION 3d.—*Restrictions of the Powers of the State.*

162. None of the States can—First, establish, without the consent of the general Congress, any tonnage duty, nor other post duty. Second, impose, without the consent of the general Congress, contributions or duties on importations or exportations, whilst the law does not regulate it as it must do. Third, hold, at no time, a permanent troop nor vessels of war, without the consent of the general Congress. Fourth, enter into any agreement or compact with any foreign power, nor declare war against them, resisting in case of actual invasion, or in such danger as will not admit of delay, giving immediate notice thereof to the President of the Republic. Fifth, enter into any agreement or compact with other States of the Federation, without the previous consent of the general Congress or its posterior approbation, if the transaction was upon the regulation of limits.

TITLE 7th. ONLY SECTION.—*Of the observance, interpretation, and amendment of the Constitution and Constitutional Act.*

163. Every public functionary, without exception to the class, previous to entering on the discharge of his duties, must take the oath to obey the Constitution and Constitutional Act.

164. The Congress shall dictate all laws and decrees, which they may deem necessary to render effective, the responsibility of those who violate this Constitution or the Constitutional Act.

165. The general Congress alone can resolve doubts, which may occur about the meaning or understanding of the Articles of this Constitution and of the Constitutional Act.

166. The Legislatures of the States can make such observations as they may deem proper about particular Articles of this Constitution and the Constitutional Act, but the general Congress will not take them into consideration until the year 1830.

167. The Congress in that year shall confine itself to examining the observations that merit the deliberation of the next Congress, and this declaration they shall communicate to the President, who shall publish and circulate them without any observations.

168. The following Congress in the first year of its ordinary sessions, shall occupy themselves in examining these observations submitted to their deliberation, in order to make such amendments as may be deemed necessary, but the same Congress which makes the examination, provided in the last Article, cannot decree the amendments.

169. The amendments and additions that are proposed in the year following, the 30th shall be taken into consideration by the Congress, in the second year of each biennial, and if rendered necessary, in conformity with the provisions made in the preceding Article, they shall publish this resolution, in order that the next Congress may notice them.

170. In order to reform or amend this Constitution or the Constitutional Act, shall be observed, besides the rules prescribed in the foregoing Articles, all the requisites provided for the formation of laws, excepting the right to make observations granted to the President, in Article 106.

171. The Articles of this Constitution and the Constitutional Act which establishes the Liberty and Independence of the Mexican Nation, its Religion, form of Government, Liberty of the Press, and division of the Supreme Powers of the Federation, and of the States, can never be reformed.

Given in Mexico, 4th October, 1824, fourth year of Independence, third of Liberty, and second of the Federation.

Signed by the members of Congress, and the Supreme Executive Power.

THE  
CONSTITUTION  
OF  
COAHUILA AND TEXAS.

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THE Governor of the Free State of Coahuila and Texas, to all its inhabitants—*Know*, that the Constituent Congress of the same State, has *Decreed* and sanctioned the following political Constitution of the free State of Coahuila and Texas.

In the name of God, omnipotent, author, and supreme legislator of the Universe, the Constituent Congress of the State of Coahuila and Texas, desirous to comply with the will of the people, and in order completely to fill the great and magnificent object of promoting the glory and prosperity of the same State, *Decrees* for its administration and government the Constitution which follows:—

**PRELIMINARY DISPOSITIONS.**

ARTICLE 1. The State of Coahuila and Texas consists in the union of all its inhabitants.

2. It is free and independent of the other United Mexican states, and of every other foreign power and dominion.

3. The Sovereignty of the State resides originally and essentially in the general mass of the individuals who compose it; but these do not of themselves excuse any other acts of sovereignty than those designated in this Constitution, and in the form which it prescribes.

4. In all matters relating to the Mexican Federation, the State delegates its faculties and powers to the General Congress of the same, but in all that properly relates to the administration and entire government of the State, it retains its liberty, independence, and sovereignty.

5. THEREFORE, Belongs exclusively to the same State, the right to establish by means of its representatives, its fundamental laws, conformable to the basis sanctioned in the Constitutional Act and the General Constitution.

6. The Territory of the State is the same which comprehends the Provinces heretofore known by the name of Coahuila and Texas. A constitutional law shall fix their limits with respect to the other adjoining States of the Mexican Federation.

7. The Territory of the State is divided for the present, for its

better administration, into three departments, which shall be—**BEXAR**—which district is extended to the whole of the Territory, which corresponds to that called the Province of **TEXAS**, which alone is a district. **MONCLOVA**, which comprehends the district of this name and that of **RIO GRANDE SALTILLO**, which embraces the district of this name, and that of **PARRAS**.

8. Congress hereafter shall have power to alter, vary, and modify this division of the Territory of the State, in the manner it may esteem most conducive to the felicity of the people.

9. The Apostolic Catholic Religion is that of the State; this it protects by wise and just laws, and prohibits the exercise of any other.

10. The State shall regulate and defray the expenses which may be necessary for the preservation of worship, in conformity with the regulation of the Concordats, which the nation shall celebrate with the Holy See, and by the laws it shall dictate relative to the exercise of patronage in the whole Federation.

11. Every man who inhabits the Territory of the State, although he be in transit, shall enjoy the imprescriptible rights of liberty, security, property, and equality; and it is the duty of the same state to conserve, and protect by laws, wise and equitable, those general rights of mankind.

12. It is also an obligation on the State, to protect all its inhabitants in the right which they have to write, print, and publish freely their thoughts, and political opinions, without the necessity of examination, revision or censure, anterior to the publication, under the restrictions, and responsibilities established, or which hereafter may be established, by general laws on the subject.

13. In this State no person shall be born a slave, after this Constitution is published in the capital of each District, and six months thereafter, neither will the introduction of slaves be permitted under any pretext.

14. It is the duty of every man who inhabits the State, to obey its laws, respect its constituted authorities, and contribute to the support of the same State, in the mode which it asks.

15. To the State belongs every species of vacant goods in its Territories, and those of its intestate inhabitants who have no legitimate successor in the manner laid down by the laws.

16. The State is composed only of two classes of persons, to wit: *inhabitants* of Coahuila and Texas, (*Coahuiltejanos*) and *citizens* of Coahuila and Texas.

17. Those are inhabitants of Coahuila and Texas (*Coahuiltejanos*.) First, All men born and domesticated in the Territory of the State, and their descendants. Secondly, those born in any other part of the Territory of the Federation, or those who fix their domicile in this State. Thirdly, those foreigners who are legitimately established in the State, be they of what nation they

may. Fourthly, those foreigners who obtain from Congress letters of naturalization, or have a domicile in the State obtained according to law, which shall be passed as soon as the Congress of the Union fixes the general rule of naturalization, which it ought to establish conformable to the 26th clause of the faculties which the Federal Constitution designates.

18. Those are citizens of Coahuila and Texas (Coahuittajenos.) First, All men born in the State, and who are domiciliated in any part of its Territory. Secondly, all citizens of the other States and Territories of the Federation, as soon as they become domiciliated in the State. Thirdly, all the children of Mexican citizens, who have been born out of the Territory of the Federation, and who fix their domicile in the State. Fourthly, the foreigners who are actually and legally domiciliated in the State, whatever may have been the country of their nativity. Fifthly, foreigners who enjoy the rights of inhabitants of Coahuila and Texas, have obtained from Congress special letters of citizenship—the laws will prescribe the merits and circumstances requisite for the concession of such.

19. Those born in the Territory of the Federation, and those foreigners resident in it, (with the exception of their children) who, at the time of the proclamation of the political emancipation of the nation, was unfaithful to the cause of independence, and emigrated to a foreign country, or that dependent on the Spanish government, are neither entitled to the rights of domiciliation, nor citizenship, in said State.

20. The rights of citizenship are lost. First, By acquiring naturalization in a foreign country. Secondly, by acquiring a station of profit, or honor, under a foreign government, without permission of Congress. Thirdly, by sentence legally obtained, which imposes penal or infamous punishments. Fourthly, by selling his vote, or buying that of another, for himself or for a third person, whether in popular assemblies, or in any other whatever—and of trust in the same assemblies, either as presidents, tellers, or secretaries, or in the exercise of any other public functions. Fifthly, for having resided five consecutive years out of the limits of the Territory of the Federation, without commission of the general government, or particular one of the State, or without its leave.

21. He that has lost the rights of citizenship cannot regain them without the express act of restoration of Congress.

22. The exercise of the same rights are suspended. First. For physical or moral incapacity, previously ascertained by judicial decision. Secondly, for not being twenty-one years complete, except those who are married, who can enter upon the exercise of these rights from the time they contract matrimony, of whatever age they may be. Thirdly, for being a debtor to the public funds, the time of payment elapsed, legal requisition therefore made,

and not complied with. Fourthly, for having been prosecuted criminally, unless the defendant is absolved of the matter, or condemned to punishment not painful or infamous. Fifthly, for not having an employment, trade, or any known method of obtaining a livelihood. Sixthly, for not knowing how to read and write ; but this shall not take effect until the year 1850, with regard to those who hereafter enter into the rights of citizenship.

23. The rights of citizenship can only be destroyed or suspended for the causes stated in articles 20 and 22.

24. None but citizens who are in the exercise of their rights can vote for popular employments in the State, in those instances stated in the law ; and these only can obtain the said employments, or any others in the same State.

25. Professional employments form an exception to the second part of the anterior article, which employments can also be conferred on foreigners.

### FORM OF THE STATE GOVERNMENT.

26. The object of the state government is the happiness of the individuals which compose it, for the end of all political society is no other than the welfare of the associated.

27. The officers of the government, invested with whatever kind of authority, are no more than mere agents or commissioners of the state, responsible to it for their public conduct.

28. The government of the state is popular representative federal ; in consequence, it shall not have in it any hereditary office or privilege.

29. The supreme power of the state is divided for its exercise, into Legislative, Executive, and Judicial, and never can these three powers, nor two of them, be united in one corporation or person, nor the Legislative power deposited in one individual.

30. The exercise of the Legislative power shall reside in a Congress, composed of deputies popularly elected.

31. The exercise of the Executive power shall reside in a citizen, who shall be denominated Governor of the State, and who shall also be chosen popularly.

32. The exercise of the Judicial power shall reside in the Tribunals and Courts which the Constitution establishes.

### TITLE 1st.—*Of the Legislative power of the State.* SECTION 1st. *Of the Deputies of Congress.*

33. The Congress consists of the deputies which represent the State, chosen conformably to this Constitution ; its number shall be that of twelve members proprietary, and six supernumerary members, until the year 1832.\*

\* The supernumerary deputies, are intended to supply vacancies, occasioned by death or other evil.

34. The Congress in that year, and in the last of every ten years which follow, shall have power to augment the number of deputies, under the standard of one for every 7000 souls.

35. The election of proprietary deputies and supernumeraries shall be held in all and every one of the districts of the State. A law shall fix the number of deputies of one and the other class which each district ought to appoint.

36. To be a deputy, proprietary, or supernumerary, it is required to have, at the time of the election, the following qualities :— First, To be a citizen in the exercise of his rights. Secondly, to be of the full age of twenty-five years. Thirdly, to be an inhabitant of the State, with residence in it for two years immediately before the election. To natives of the State it is sufficient to possess the two first requisites.

37. It is necessary for those not born in the Territory of the Federation, in order to be deputies, proprietaries, or supernumeraries, to have had eight years' residence in it, and to be worth \$8000 in property, or to have an income of some business of \$1000 annually, and the qualifications provided in the foregoing article.

38. There is excepted from the foregoing, those born in any other part of the Territory of America, which in the year 1810, depended on Spain, and which may not have united itself to any other nation, nor remained in dependence on Spain ; to those it is sufficient that they have been three years, complete, in the Mexican Republic, and possess the requisites prescribed in article 36.

39. Those cannot be deputies, proprietaries, or supernumeraries ; First, The Governor, or Vice-Governor of the State ; the members of the Council of Government ; those employed in the Federation ; the Civil Functionaries of the State Government ; the Ecclesiastics who exercise any species of Jurisdiction or authority in some part of the district where the election may be held ; foreigners, at the time when war may exist between the country of their nativity and Mexico.

40. In order that those public functionaries of the Federation, or of the State, comprehended in the anterior article, may be elected deputies, they ought absolutely to have ceased the exercise of their functions four months before the election.

41. If the same individual shall be named deputy proprietary for two or more districts, the election of that district in which he actually resides shall have preference. If he does not reside in either, the election of the district of his origin shall have preference. If he was neither a resident nor a native of some one of the said districts, that shall stand which the same elected deputy shall designate. In either of these cases, or of the death or inability of the deputies proprietary to discharge their functions ac-

cording to the judgment of Congress, their duties shall devolve upon the respective deputies supernumerary.

42. If it shall happen that the same citizen is elected deputy supernumerary for two or more districts, in this case the same order of preference provided for in the three first parts of the anterior article prevails. And in the district which remains without a deputy supernumerary, the vacancy shall be filled up by the person who, in the respective electoral assembly, had the next greatest number of votes. In case of a tie it shall be decided by lot, (suerte.)

43. The deputies, during the discharge of their commissions, shall obtain from the public Treasury of the State, the compensation which the anterior Congress shall assign; and they shall also receive what may appear necessary for their expenses in going to the place of session, and in returning from thence to their houses on the close of the session.

44. The deputies at no time, and in no case, nor before any authority, can be responsible for the opinions which they manifest in the discharge of their duties. In criminal cases instituted against them, they shall be judged by the Tribunals which will be hereafter mentioned; and from the day of their appointment until they have completed the two years of their deputation, they cannot be accused unless before Congress, which is constituted a Grand Jury to declare if there is, or is not, cause for an accusation. In the meantime, during the session, the deputies cannot be sued in civil suits, nor arrested for debts.

45. During the time of their deputation, counting for this purpose, from the day of their appointment, they cannot obtain for themselves any employment from the government, nor shall they solicit it for others, nor even for their promotion, except it be in the regular order of office.

#### SECTION 2d.—*Of the Nomination of the Deputies.*

46. For the election of the deputies, there shall be held electoral municipal assemblies, and electoral district assemblies. Paragraph 1st, of the electoral municipal assemblies.

47. The electoral municipal assemblies, shall be composed of the citizens who are in the exercise of their rights, and who may be inhabitants and residents within the limits of their respective Ayuntamientos, and no person of this can be excused from attending.

48. These assemblies shall be celebrated the first Sunday and the following day of the month of August, of the year anterior to the renovation of Congress, in order to nominate the electors of the district who are to choose the deputies, and eight days previously, the president of every Ayuntamiento, without the necessity of other order, shall call together the citizens of his district, by a proper notice, or as may be the custom, that they shall con-



vene to make the elections at the time and in the form which this Constitution requires, giving prompt notification to the villages of the same district for the information of the inhabitants.

49. In order that the citizens can assist with the greater convenience, every Ayuntamiento according to its locality and the population of its territory, shall determine the number of municipal assemblies which it ought to form in its limits, and the public places in which they have to be held, designating the limits of each.

50. They shall be presided, one by the political Chief or Alcalde, and the remainder by other individuals of the Ayuntamiento to whom it falls by lot, and in default of these, that corporation shall appoint as President of the respective municipal assembly an inhabitant of its own district, who shall know how to read and write.

51. On the aforesaid Sunday in August, at the hour of meeting the citizens who have convened in the place designated for it, shall open the said assembly by appointing from amongst themselves, by a plurality of votes, one Secretary and two Tellers, who shall know how to read and write.

52. The elections shall be opened on the two days mentioned in Article 48, for the space of four hours each day, divided between the morning and the evening, and in every one of these assemblies there shall be a Register, in which shall be written the votes of the citizens who come together to name the electors of the district, setting down in alphabetical order the names of the voters and those voted for.

53. To be an elector of a district, it is necessary to be a citizen in the exercise of his rights, of the age of 25 years complete, to know how to read write, and to be an inhabitant and resident in some part of the same district, the year immediately anterior to the election.

54. Every citizen shall choose by voice or writing, the respective electors of the district, whose names (the election being had according to the former mode) the voter shall designate in a loud voice, and it shall be entered in a list and then read by the Secretary; and it is indispensable that it should be written in the Register in presence of the voter. No person shall vote for himself in this or any other instance of the election, under the penalty of losing the right to vote.

55. In those districts in which there is to be chosen only one deputy, there shall be appointed 11 electors, and in that which can choose two or more, there shall be appointed 21 electors.

56. The doubts or controversies that may arise, whether any person or persons present, possess the qualification of votes, shall be decided verbally by the assembly, and its decision shall be executed without appeal, for this time and object only; *Provided*,

that such doubt shall not turn upon the construction of this Constitution or other law. If the said resolution shall result in a tie, the doubt shall be considered removed.

57. Should complaints arise that bribery, corruption, or force had been used to determine the election in favor of particular persons, a public and verbal investigation shall be made thereof, and should it appear that the accusation is true, those who have committed the crime shall be deprived of all voice in the election, and the calumniator shall suffer the same penalty; and from this judgment there shall be no appeal. Doubts which arise as to the quality of proof, shall be decided by the assembly, in the manner prescribed in the preceding article.

58. Municipal assemblies shall be held with open doors and without any guard whatever; and no individual, whatever his class may be, shall present himself in them, armed.

59. On completion of the two days for which the election is to be kept open, the President, Tellers, and Secretary of each assembly shall proceed to sum up the votes which each citizen has received, in the Register, which shall be signed by the said officers; and by this operation the assembly shall be dissolved, and any other act which may be done, shall not only be considered null, but as an attempt against the public security. The said Register shall be delivered sealed to the Secretary of the respective Ayuntamiento.

60. On the second Sunday of the said month of August, each Ayuntamiento shall convene in their respective halls in public session. In their presence, and also with the assistance of the President, Tellers, and Secretary of the municipal assemblies, the Registers shall be opened, and after examining the whole of them, a general list shall be formed in alphabetical order, in which shall be comprehended all the individuals voted for, and the number of votes they have received.

61. This list and the certificate which shall be extended on the subject, shall be signed by the President of the Ayuntamiento, the Secretary of it, and the Secretaries of the assemblies; after which, two copies of the said list shall be drawn off, certified by the same persons, one of which shall be immediately posted up in the next public place, and the other shall be delivered with accompanying official letter, signed by the President of the Ayuntamiento, to two individuals appointed by that body to proceed to the capital of the district, there to form a general classification of votes in union with the commissioners of the other Ayuntamientos.

62. On the fourth Sunday in August, the commissioners of the Ayuntamientos shall present themselves with their credentials of election to the political Chief, or in his absence to the first Alcalde, of the capital of the district, and presided by the first or by the second, as the case be thus, shall assemble in public session in the

town hall, and after examining all the lists, they shall form a general list of all the individuals voted for as electors of the district by the citizens of each municipal district respectively, expressing the number of votes they have had and the place of their residence.

63. In order to make this general regulation of votes, the concurrence of not less than four of the commissioners is requisite. In those districts in which there is not that number, the Ayuntamiento of the capital shall name, from amongst the individuals of its own body, the number deficient.

64. The citizens, who upon the result of this general scrutiny, have the greatest number of votes on the list, shall be considered constitutionally appointed for electors. In case of a tie amongst two or more individuals, it shall be decided by lot.

65. The aforesaid list, and all acts relative to the business, shall be attested by the President, the Commissioners, and the Secretary of the Ayuntamientos of the capital of the district. There shall be extracted copies of one, and the other certified by the same; and they shall be remitted by the President to the permanent deputation of Congress, the Governor of the State, and the different municipalities of the district.

66. The same President shall pass without any delay, the corresponding certificate to the electors appointed, that they may go to the capital of the department on the day named by the Constitution, in order to celebrate the electoral assembly of the same.

PARAGRAPH 2d.—*Of the Electoral Assemblies of the District.*

67. The electoral assemblies of the district, shall be composed of the electors named by the citizens in the municipal assemblies, who shall assemble in the capital of the respective district with a view to name the deputy or deputies, required to assist at the Congress as representatives of the State.

68. These assemblies shall be held 15 days after the general regulation of votes, spoken of in Article 62; the electors meeting in the municipal hall, or in the building which is supposed to be more fitting for so solemn an act, with open doors, and without guards, and in the said assemblies, no person, of whatever class he may be, shall be present with arms.

69. They shall be presided by the political Chief, or in his default, by the first Alcalde of the capital of the district, and shall commence their sessions by appointing, by plurality of votes, one Secretary and two Tellers, from amongst their own body, and in continuation, the President shall read the credentials of the electors, which are to be the certificates in which is set forth their appointment.

70. In continuation, the President shall inquire if any number is legally disqualified, and if it is proved that there is, the elector shall use his right to vote. Afterwards, the President shall also inquire if there has been bribery, corruption, or force whereby

the election has been determined in favor of any particular person, and if it is proved that there has been, the delinquents shall be deprived of any voice in the election, and the calumniators shall suffer an equal punishment. The doubts which shall occur in one or the other case, the assembly shall resolve in the manner which is spoken of in Article 56.

71. Immediately after—the electors present shall proceed to name the deputy or deputies that correspond to the district, and they shall be chosen one by one by secret ballot, by means of tickets which each elector shall throw into an urn to be placed upon a table at the foot of the crucifix, after having taken an oath before the President to vote for those citizens for deputies to the Congress of the State, who, in his opinion, possess the qualifications of information, judgment, probity, and a known adherence to the independence of the nation.

72. The voting being concluded, the President, Tellers, and Secretary shall regulate the votes, and declare constitutionally elected for deputy, the citizen who has obtained more than half the votes—the President publishing each election. If no one has had an absolute plurality of votes, they shall proceed to a second ballot, for the two who may have obtained the greatest number of votes. If there are more than two who have an equal number of votes, the second ballot shall be made amongst the whole of them, doing the same when no one has obtained this majority, but all of those having an equal number of votes. In all these cases he shall be elected who has a plurality of votes, and in case of a tie, the voting shall be repeated once only, and if it again result in a tie, it shall be decided by lot.

73. If only one individual has a respective majority, (the highest number of votes) and two or more an equal number of votes, but greater than all the others, in order to decide which of them shall enter into the second ballot with the first, there shall be a second voting relative to these, and he that obtains the most votes shall enter into competition with him that had the respective majority; in case of a tie, the voting shall be repeated, and if it happens a second time, it shall be decided by lot. In the second ballot, which is had between him who had obtained the respective majority over the whole, and his competitor, that which is established in the last part of the anterior article, shall be observed.

74. When one alone has the respective majority, and all the others have an equal number of votes, in order to know which shall enter into competition in the second ballot with him, will be carried into effect by the provisions of the foregoing articles—for this end, in respect of those who have been tried, and in order to know at the same time which of these competitors ought to be the deputy, the method established in the last part of the same article shall be observed.

75. The election of deputies proprietaries concluded—There shall follow that of the supernumeraries in the same method and form, which being finished, there shall be immediately posted up in the most public place, a list, which shall contain the names of all the deputies elected, attested by the Secretary of the respective assembly. The Act of the election shall be attested by the President and all the electors. And the President, the Secretary, and the Tellers, shall remit authenticated copies of the same to the permanent deputation of Congress, the Governor of the State, and all the Ayuntamientos of the district. These assemblies shall immediately dissolve when they have executed the acts which this Constitution prescribes, and every other act with which they intermeddle shall be null, and shall be considered an attempt against the public security.

76. The President, without delay, shall deliver to the deputies and supernumeraries, an official letter accompanied with a certificate of their election, which will serve as their credentials.

77. No citizen can be excused upon any motive or pretext, from the discharge of the duties which are spoken of in the present section.

#### SECTION 3d.—*Of the Celebration of Congress.*

78. The Congress shall assemble each year, to hold its sessions in the place which shall be designated by a law, and in the building which is destined for this object. Whenever it may be deemed convenient to change it to another place, it can be done with the accordance of two-thirds of the whole number of the deputies.

79. The deputies shall present their credentials to the permanent deputation of Congress, in order that they may examine them, by comparing them with the testimonies of the elections of the electoral assemblies of the district.

80. On the 28th day of the month of December, of the year anterior to the renovation of Congress, the newly elected deputies and the members of the permanent deputation shall meet in public session, and shall choose their President and Secretary from the said deputation. This meeting shall report as to the legitimacy of the credentials and qualifications of the deputies, and any doubts which may arise on these points shall be definitely determined by a plurality of votes by this assembly; but the individuals of the permanent deputation, who have not been re-elected, shall not have a vote.

81. In continuation, the deputies shall take before the President an oath, that they will observe, and caused to be observed, the Constitutional Act, and the Federal Constitution of the United States of Mexico, and the Constitution of this State, and that they will completely discharge their duties.

82. In continuation, the deputies shall proceed to choose from amongst themselves by secret ballot, and by an absolute plurality

of votes, a President and Vice President and two Secretaries, upon which the permanent deputation shall cease in all its functions, and those of its members not re-elected having retired, the President of Congress shall declare that it is solemnly and legitimately constituted.

83. For the celebration of the ordinary and extraordinary sessions of Congress, the deputies shall meet four days previous to its organization, in the manner prescribed in the first part of Article 80, in order to resolve in the manner expressed in the second part of the same Article upon the legitimacy of the credentials and qualifications of the new deputies who present themselves, and having approved of them, the deputies shall immediately take the oath prescribed by Article 81, and in continuation shall proceed to make nomination of the President, Vice President, and Secretaries, in the same manner which is provided in Article 82.

84. The Congress shall open its ordinary sessions the first day of January in every year, and the first day of September in each year following the renovation of the same Congress. The Governor of the State being obliged to assist upon so important an occasion, when he shall pronounce a suitable discourse, which the President of Congress shall answer in general terms.

85. On the day after the opening of the ordinary session, the Governor shall present in person to Congress, a written account of the state of the public Administration, proposing such amendments or reforms, as may be required in its different branches.

86. The sessions of Congress shall be held daily, without other interruption than those of solemn festivals. All the proceedings shall be public, with the exception of those which treat of reserved business, which may be secret.

87. The ordinary sessions of Congress, which commence the first day of January, shall last that month and the three following, February, March, and April; and cannot be prorogued to any other month, except in the two following instances: first, by petition of the Governor; and secondly, if the same Congress deem it necessary—for this, there must be the concurrence, in both cases, of the vote of two-thirds of the deputies. The ordinary sessions, which commence on the first of September, shall last 30 days of the said month without any power to prorogue on any motive or pretext whatever. Both sessions shall be closed with the same formalities which are prescribed for their opening.

88. Before the conclusion of the ordinary session of Congress, there shall be appointed of that body a permanent deputation, composed of three individuals proprietary, and one supernumerary, which shall continue all the intervening time between one ordinary session and the other; and its President shall be its first

appointed individual, and its Secretary the last individual proprietary.

89. When in the intervening time between one ordinary session and another, circumstances or business shall occur requiring the meeting of Congress, it can be convoked for extraordinary sessions, provided it is sanctioned by the unanimous vote of two-thirds of the members of the permanent deputation and of the council of government, which shall meet for that purpose.

90. If the circumstances or business which caused the extraordinary convocation of Congress, should be very weighty and urgent, the permanent deputation united with the council of government and the other deputies which are in the capital, shall immediately take such necessary measures as the exigency shall require, and shall give an account thereof to Congress as soon as it may meet.

91. When Congress meet in extraordinary sessions, there shall be called to the same, the deputies who ought to assist at the ordinary sessions of that year, and they shall be exclusively occupied upon the business or businesses for which they have been convoked, but if they have not concluded against the day on which they ought to meet in ordinary sessions, they shall postpone those and continue the business for which the extraordinary session had been convoked.

92. The holding of the extraordinary sessions shall not impede the election of the new deputies at the time prescribed in this Constitution.

93. The extraordinary sessions shall be opened and closed with the same solemnities as the ordinary sessions.

94. The resolutions which Congress may take upon the change of its residence, or the prorogation of its sessions, shall be executed by the Governor without any observations upon them.

95. The Congress, in all that belongs to its government and interior order, shall observe the regulations formed by the present, having power to make the reforms it may deem necessary.

96. The deputies shall be renewed totally every two years. Those of the anterior Congress can be re-chosen, but they cannot be compelled to accept this trust unless there should be a vacancy of one half of the deputation. There shall be excepted in this Article, the deputies of the present Congress, who cannot be re-elected for the next Constitutional Congress.

#### SECTION 4th.—*Of the Attributes of Congress, and of the Permanent Deputation.*

97. The exclusive attributes of Congress are first to decree, interpret, reform, or abolish, the laws relative to the Administration, and interior government of the State in all its branches. Se-

condly to regulate the votes which the citizens may have obtained in the electoral assemblies for Governor, Vice-Governor, and for members of the council of government, and to appoint those officers whenever it shall devolve upon them to do so. Thirdly, to decide by secret ballot, the ties which may happen between two or more individuals, in the election of the fore-mentioned officers. Fourthly, to resolve the doubts which may arise upon these elections and upon the qualifications of the elected. Fifthly, to examine the excuses which the elected may allege for not accepting these stations and to determine them. Sixthly, to form themselves into a Grand Jury, and to declare whether there are or are not grounds of accusation for neglect of official duty, as well as for ordinary crimes against the deputies of Congress. The Governor, the Vice-Governor, the members of the Council, the Secretary of State, and the individuals of the Supreme Court of Justice of the State. Seventhly, to render effective the responsibility of these public functionaries, and to do in this case that which is so necessary with respect to all others employed. Eighthly, to fix every year the public expenses of the State, having in view the reports on the subject which shall be presented by the Governor. Ninthly, to establish or confirm the taxes or contributions necessary to cover these expenses, under the regulations of this Constitution, and the general one of the Federation—to regulate their collection, determine their application, and approve of their distribution. Tenthly, to examine and approve the accounts of the application of all the public funds of the State. Eleventh, to contract debts in case of necessity upon the credit of the State, and to designate the guarantees for their liquidation. Twelfth, to decree whatever may be necessary for the administration, conservation, or alteration of the goods of the State. Thirteenth, to create, suspend, or suppress the public officers of the State; and to fix, diminish, or augment their salaries or pensions. Fourteenth, to grant premiums or recompenses to corporations or persons, who have rendered distinguished services to the State, and to decree posthumous public honors to the memory of great men. Fifteenth, to regulate the manner of recruiting the men which may be necessary for the service, or to fill up the permanent presidial militia companies of cavalry, and the active militia of the same army, auxiliary to that which are destined by the institution to the defence of the State, approve of the distribution which may be made among the towns of the State of their respective quotas, to effect this object. Sixteenth, to decree that which may be necessary for the enrolling and instruction of the civic militia of the State, and the appointment of its officers conformable to the discipline prescribed, or which shall be prescribed by general laws. Seventeenth, to promote and encourage, by laws, public information, and education, and the progress of the



sciences, arts, and useful establishments, removing the obstacles which may palsy objects so commendable. Eighteenth, to protect the political liberty of the press. Nineteenth, to attend to, and give or deny their consent to all those acts and cases for which this Constitution has provided.

98. The attributes of the permanent deputation, are First, to watch over the observance of the Constitutional Act, the Constitution, and general laws of the Union, and the particular ones of the State, in order to give an account to Congress of infractions thereof, which they may observe. Second, to convoke the Congress for extraordinary sessions in those cases, and in the manner prescribed by this Constitution. Third, to discharge the functions which are prescribed in Articles 79 and 80. Fourth, to give notice to the supernumeraries of the time when they shall come to the Congress in the place of the deputies proprietaries, and if the death or absolute inability of one or more of them should occur, to communicate the corresponding orders to the respective district, in order that it may proceed to a new election. Fifth, to receive the testimonies of the acts of the elections of the electoral assemblies of the district, for Governor, Vice-Governor, and members of the Council of Government, and to deliver them to Congress as soon as it may be installed.

SECTION 5th—*Of the formation and promulgation of the Laws.*

99. The interior regulations of Congress shall prescribe the form, intervals, and method of procedure, in the debates and votings for the projects of laws and decrees.

100. Every project of a law or decree, which has been rejected conformable to the regulations, shall not be again proposed until the ordinary session of the following year; but this shall not impede the passage of one or more articles of it, which may compose part of other projects not rejected.

101. The half and one more (*la mitad y uno mas*) of the total number of the deputies, forms a Congress to dedicate measures and procedures which do not obtain the character of a law or decree, but to discuss and decide on projects of laws or decrees, and dictate of much importance, the presence of two-thirds of all the deputies is necessary.

102. If a project of a law or decree, after it is discussed, is approved, it shall be communicated to the Governor, who, if he approves of it, shall immediately proceed to promulgate and circulate it with the corresponding solemnities. But if not, after hearing the council, he shall have power to make such observations as he thinks proper, and shall return it with his remarks to the Congress within ten lawful days, counting from his receipt of it.

103. The project of a law or decree, returned by the Governor according to the antecedent Article, shall be discussed a second

time; the Speaker, whom the Governor shall designate, having power to assist at the discussion and to speak upon the subject. If on this second debate, it is approved by two-thirds of the deputies present, it shall be again communicated to the Governor, who shall, without excuse, immediately proceed to its solemn promulgation, but if not approved in this form, it cannot again be proposed until the sessions of the year following.

104. If the Governor shall not return the project of a law or decree within the time prescribed in Article 102, it shall be deemed by this act as sanctioned, and as such shall be promulgated, unless previous to that time the Congress may have closed or suspended its session, in which case the return ought to be made the first day on which Congress may meet.

105. Laws are annulled with the same formalities and by the same procedure with which they are established.

#### APPENDIX TO THIS TITLE—*Of the election of Deputies for the General Congress of the Federation.*

106. The electoral district assemblies on the same day and in the same form, in which the election of deputies to the Congress of the State ought to be had, shall proceed to that of the individuals who are to choose deputies for the general Congress of the general Congress of the Union, appointing one individual for every 7000 souls, who shall possess the qualifications required in Article 53, of this Constitution. In the district in which there results an excess of population which passes 3500 souls, there shall be appointed for this fraction another elector; and in those which have not a population of 7000 souls there shall be one named. The said assemblies having concluded the election, shall remit a certified copy of the Act to the Vice Governor of the State, and shall also pass a corresponding certificate to each one of the elected, which shall serve as his credential.

107. The electors thus appointed shall proceed to the capital of the State, where they shall present themselves to the Vice-Governor, or to him that acts in his place; and having met under the presidency of the one or the other, three days previous to the first Sunday of the month of October in public session, in the edifice deemed the most appropriate; they shall appoint amongst themselves two Tellers and one Secretary, who shall examine the credentials, and on the following day shall report whether they are legal or not. The credentials of the Tellers and Secretary shall be examined by a commission of three individuals to be appointed in the same manner.

108. On the following day they shall meet again to read the returns, and if defects appear in the qualifications of the electors or in their credentials, the meeting in permanent session shall decide upon them, and their sentence shall be executed without

appeal for this time and in this instance only, it being understood that the doubt cannot arise upon the provisions of this Constitution or the Law.

109. On the first Sunday of the said month of October, the electors having met, and more than one half of the whole being present, they shall proceed to the appointment of the deputies, who shall go from the State to the general Congress of the Federation, in the form laid down by this Constitution, for the appointment of those to the State Congress. This being done, the assembly will do what is necessary to comply with the provisions of the 17th Article of the Federal Constitution, and shall dissolve.

**TITLE 2d.—Of the Executive power of the State. SECTION 1st.—  
Of the Governor.**

110. The Governor of the State ought to possess, at the time of his appointment, the following qualifications: First, to be a citizen in the exercise of his rights. Second, to be born in the Territory of the Republic. Third, to be of the age of thirty years, complete. Fourth, an inhabitant of this State, with residence in it for five years, and two of them immediately before his election.

111. The ecclesiastics, the military, and others employed by the Federation and in the actual service of the same cannot obtain the office of Governor.

112. The Governor of the State shall continue four years in the discharge of his office, and cannot be re-chosen for the same office, until the fourth year after he has ceased from its functions.

113. The prerogatives of the Governor, the attributes, and restrictions of his faculties are the following:—

**PREROGATIVES OF THE GOVERNOR.**

First, The Governor can make observations upon the laws and decrees of Congress, in the manner and form prescribed in Article 102, suspending their publication until the resolution of the same Congress, unless in the cases excepted in this Constitution. Second, he has power to propose laws or reforms to Congress, which he believes may conduce to the general good of the State. Third, he can pardon delinquents under the regulation of the laws. Fourth, the Governor cannot be accused by any one for offences committed at the time of his administration nor during it, nor until one year afterwards, counting from the day on which he has ceased his functions, unless before the Congress, and that time being elapsed not even before the Congress.

**ATTRIBUTES OF THE GOVERNOR.**

First, to take care for the preservation of order and public tranquillity in the interior of the State and the security of the exterior,

disposing for both these objects, of the militia of the State, whereof the said Governor is commander-in-chief. Second, to cause the observance of the Constitutional Act, the general Constitution, and that of the State, and of the laws, decrees, and orders of the Federation, and of the Congress of the State; issuing their decrees and necessary orders for their execution. Third, to form upon consultation with the council, those instructions and regulations which he believes necessary for the better government of the branches of the public administration of the State, which he shall pass to the Congress for its approbation. Fourth, to fill under the regulation of the Constitution and the Laws, all the offices of the State which are not electoral, and which are not otherwise provided for by those laws. Fifth, to appoint and freely dismiss the Secretary of State. Sixth, to take care that justice is administered promptly and completely by the tribunals and courts of the State, and that their sentences are executed. Seventh, to take care of the administration and collection of all the rents of the State, and to decree their application in conformity with the laws. Eighth, to suspend from their offices for three months, and even to deprive them of one half of their salaries for the same time, after hearing the opinion of the council of State, all those in the employment of the State, under the Executive department thereof, and of its nomination and appointment when they infringe its orders and decrees, passing the proceedings upon the matter to the respective tribunal, in case he believes that there is sufficient cause for accusation. Ninth, to propose to the permanent deputation the convocation of Congress, to extraordinary sessions, whenever he deems it necessary, first having the opinion of the council.

#### RESTRICTION OF THE FACULTIES OF THE GOVERNOR.

The Governor cannot—First, command in person the civic militia of the State, without the express consent of Congress, or in its recess of the permanent deputation. When he commands, under said circumstances, the Vice-Governor shall take charge of the Government. Second, he cannot intermeddle in the examination of pending causes, nor dispose in any manner, before judgment, of the persons of criminals. Third, he cannot deprive any person of his liberty, nor impose any punishment. But when the good and security of the State requires the arrest of any person, he has power to do so, placing the persons arrested at the disposition of the tribunal or competent judge within the term of forty-eight hours. Fourth, he cannot occupy the property of any particular person or corporation, nor embarrass him in the possession, use, or profit of it, unless it may be necessary for a known object of general utility, according to the judgment of the council of government; in which case he shall have power, with the con-

sent of the said council, and the approbation of Congress, or in its recess, of the permanent deputation, always indemnifying the interested party according to the judgment of good men, chosen by said party, and by the Government. Fifth, he cannot impede or embarrass in any manner or under any pretext, the popular elections determined by this Constitution and the Laws, nor prevent those laws from taking full effect. Sixth, he cannot go from the capital to any other part of the State for more than one month. If a longer absence is necessary, or if he is obliged to go from the Territory of the State, he shall ask leave of Congress, and its recess, of the permanent deputation.

114. In order to publish the laws and decrees of the Congress of the State, the Governor shall use the following form: "The Governor of State of Coahuila and Texas, to all its inhabitants, *Know*, that the Congress of the same State has decreed the following: (here the text of the law or decree.) THEREFORE, I command that it be printed, published, and circulated, in order that it be complied with.

SECTION 2d.—*Of the Vice-Governor.*

115. There shall likewise be in the State a Vice-Governor. His qualifications shall be the same as those required for Governor. His term shall be four years, and he cannot be re-elected for the same office, unless at the fourth year after he has ceased from its functions.

116. The Vice-Governor shall be President of the Council, but without a vote, unless in case of a tie. He shall also be a chief of the police of the department of the capital, and when exercising the functions of Governor, the office of chief of police shall be discharged by deputy, who shall be appointed *ad interim* by the Vice-Governor with the approbation of the council.

117. The Vice-Governor shall discharge the functions of Governor in his absence, or when he shall be impeded in the exercise of his office by decision of Congress or of the permanent deputation.

118. When the Vice-Governor is also absent, the councillor appointed by Congress, shall fill the office of Governor. If the Congress should be in recess the permanent deputation shall do it without delay, provisionally, until the meeting of Congress.

119. In case of the death or absolute inability of the Governor or Vice-Governor, in the two first years of the exercise of their offices, a new Governor or Vice-Governor, shall be elected at the next election for deputies to Congress.

120. The Vice-Governor during the exercise of his office can be accused before Congress alone, for offences committed during the time of his administration of whatever description they may be.

SECTION 3d.—*Of the Council of Government.*

121. For the better discharge of the functions of his office, the

Governor shall have a council, which shall be denominated *The Council of Government*; and shall be composed of three members proprietaries and two supernumeraries, amongst the whole of whom there can be but one ecclesiastic.

122. To be a member of the Council of Government, the same qualifications are required as for a deputy. Those who are prohibited from being deputies cannot be counsellors.

123. Every two years the council shall be removed; the first time, one of the members proprietaries and supernumeraries going out, who have been last appointed, and the second time those other members proprietaries and other supernumerary going out, and so successively.

124. No counsellor can be re-elected, except in the fourth year after having ceased from his office.

125. When the Governor of the State assists at the council he shall preside, but without a vote, and in such case the Vice-Governor shall not assist.

126. The Secretary of the Council shall be one of its members in the manner and form which may be established by its interior regulation, which regulation the said council shall form and present to the Governor, who shall pass it to Congress for its approbation.

127. The attributes of the Council are—First, to give a fixed opinion and in writing to the Governor, in all those matters in which the law imposes upon him the obligation to ask it, and in all those others in which the same Governor may think proper to consult it. Second, to watch over the observance of the Constitutional Act, the Federal Constitution, and the general laws of the Union, the Constitution and particular laws of the State, giving an account to Congress of the infractions which it may observe, Third, to promote the advancement, and aid in the prosperity of the State in all its branches. Fourth, to recommend appointments to offices, in the cases where the law requires it. Fifth, agree in union with the permanent deputation conformable to the 89th Article, upon the convocation of extraordinary sessions of Congress, and to meet with the same deputation in order to do what may be necessary in those cases mentioned in Article 90. Sixth, examine the accounts of all the public funds, and pass them to Congress for its approbation.

128. The council shall be responsible for all acts relative to the exercise of its powers.

#### SECTION 4th.—*Of the Election of Governor, Vice-Governor, and Counsellors.*

129. The day following that on which the election of deputies to Congress is made, the electoral district assemblies, all and every one of them shall vote for a Governor, Vice-Governor, and

three Counsellors proprietaries, and two supernumeraries, making the said election in the mode and terms prescribed in Articles 71, 72, 73, and 74.

130. The said elections being ended, there shall be immediately posted up in the most public place, a list signed by the Secretary of the assembly, which shall comprehend the names of those elected, and for what offices they have been elected. These acts shall be attested by the president and the electors, and copies certified by the President, Secretary, and Tellers, shall be remitted to the permanent deputation.

131. On the day of the opening of the first ordinary session of Congress the President of the permanent deputation shall present the aforesaid copies, and after they have been read, the Congress shall appoint a committee of its own body, and pass them to it for its revision, of which the committee shall give the result within three days.

132. On this day the Congress shall proceed to examine the elections had by the districts, and to count the votes.

133. The individual, who has the absolute majority of votes of the electoral district assemblies, computing the whole number of members which compose them, shall be the Governor, Vice-Governor, or Counsellor, as the case may be.

134. If no one has the said majority, the Congress shall choose for those offices one of the two or more individuals who may have the greatest number of votes, and the same shall take place when no one has obtained the respective majority, unless all have an equal number of votes.

135. If only one individual obtains the respective majority, and two or more an equal number of votes but more than all the others, the Congress shall elect from among them one individual, and he shall enter into competition for the appointment with him that has the respective majority.

136. In case of a tie, the voting shall be repeated once only, and if it results again in a tie, it shall be decided by lot.

137. The offices of Governor, Vice-Governor, and Counsellors, shall be accepted in preference to any other of the State, and this preference shall take place with respect to these offices in the order in which they stand. Those elected for said offices shall occupy them the first day of March, and cannot excuse themselves from serving, unless they are deputies to Congress at the time of the election, and those who, according to the judgment of the same Congress, are physically or morally disqualified.

138. If by any means, the Governor elect does not present himself on that day to enter upon the exercise of his functions, the Vice-Governor elect shall enter upon the discharge of them; and if he also does not present himself, that vacancy shall be filled conformable to article 118.

### SECTION 5th.—*Of the Secretary of State.*

139. The despatch of the business of the supreme government of the State, of whatever class it may be, shall be placed in the charge of a Secretary, who shall be entitled Secretary of Despatch of the State Government.

140. To be a Secretary of State, it is required to be a citizen in the exercise of his rights, twenty-five years of age, born in the Territory of the the Mexican Federation, and an inhabitant of this State, with residence in it three years, one of them immediately before the election. Ecclesiastics cannot obtain this office.

141. All the laws, decrees, orders, instructions, or regulations, which are circulated to the towns, or are directed to a known corporation or person, by the Governor, as well as the copies which emanate from the Secretary's department, must be attested by the Secretary; and without this requisite, they shall not be obeyed nor entitled to credit.

142. The Secretary shall be responsible in his person and office for that which he officially authorizes contrary to the Constitutional Act, the Constitution, and general laws of the Union, the laws of the State, and the orders of the President of the Republic, which are not manifestly opposed to the same Constitutions and laws, without its being an excuse that the Governor orders it.

143. For the interior government of the Secretary of State's department, the regulations formed by the Secretary and approved of by Congress, shall be observed.

144. The Secretary, Governor, Vice-Governor, and Counselors, whilst they hold those offices, shall cease to discharge the duties of others they may have heretofore held, as soon as they take possession of their new employments.

### SECTION 6th.—*Of the Chiefs of Police of Departments, and the Subaltern or Chiefs of Districts.*

145. In the capital of each department of the State there shall be a functionary, to whom shall be entrusted the political government of the same, and he shall be denominated the Political Chief of the Department.

146. To be Chief of Department, it is necessary to be a citizen in the exercise of his rights, of the age of twenty-five years, complete, an inhabitant of the State, and a resident in it three years, and one of them immediately previous to his election.

147. The Governor, on the proposition of the council, supported by the recommendations of the Ayuntamientos of the respective department, shall appoint the Chief of Department, with the exception of that of the capital.

148. The Chief of Department shall be immediately subject to



the Governor of the State, and in no manner to each other. They shall continue four years in their offices, and may be re-appointed, the same formalities concurring as are prescribed for their first nomination.

149. In every capital in the district, except that in which the Chief of Department resides, there shall be a subaltern or district chief appointed by the Governor, on the recommendation of the Chief of Department.

150. The subaltern or district chiefs, ought to possess the same qualifications as those of department, with the difference that their domicile and residence ought to be in the bounds of their district, and shall, besides, have some honest mode of living, sufficient to maintain themselves decently.

151. The duration of the district chiefs in their offices, shall be the same as those of department; and on the proposition of these they can be continued in their offices.

152. No person can be excused from serving in these trusts, except in case of re-election for the same within four years after they have served, or for other sufficient cause in the judgment of the Governor, who shall decide, after hearing from the respective Chief of Department.

153. These chiefs, as well as those of department, are responsible for all their acts against the Constitution, and general laws of the Federation, and the laws of the State, the first to the Chief of Department to whom they are immediately subordinate, and those to the Governor.

154. The attributes of the different chiefs, and the manner in which they shall discharge their duties, shall be detailed in the regulations for the political economical government of the towns.

#### SECTION 7th.—*Of the Ayuntamientos.*

155. It appertains to the Ayuntamientos to watch over the police and internal government of the towns of the State; and with this view they shall exist in all which have heretofore had them.

156. In the towns which may not have them, and where it is necessary they should be, they shall be placed. The capitals of districts shall have them, whatever their population may be, and also those towns, which of themselves or with their precincts, contain 1000 souls, unless they are united to another municipality; in which case, should peculiar circumstances prevent their separation, it shall be necessary, in order for them to obtain an Ayuntamiento, that Congress shall decree it, on the recommendation of the Executive, accompanied by a memorial setting forth the territory which shall compose the new municipality.

157. The towns which have not the prescribed number of souls, but which can with advantage be united to one or more, can form municipalities, which shall be formed, and the Ayuntamiento shall be established in the place, which in the judgment of the Execu-

tive, shall be deemed most suitable. In particular circumstances, the Congress may decree, upon previous petition and recommendation of the Governor, Ayuntamientos, in those places of lesser population.

158. In those settlements which cannot have the establishment of an Ayuntamiento, and in the interior government of which, by reason of their distance from other municipalities, cannot be taken care of, the electoral assemblies of the district to which it is attached, shall appoint a commissary of police and one Syndic, (procurador,) who shall discharge the function which the regulation for the political government of the towns shall designate.

159. The Ayuntamientos shall be composed of the Alcalde or Alcaldes, Syndic or Syndics, and Alderman, whose number the said regulation shall designate.

160. To be a member of the Ayuntamiento, it is requisite to be a citizen in the exercise of his rights, more than twenty-five years of age or being married, twenty-one years of age, to be an inhabitant of the Ayuntamiento district, with residence in it three years, one of them immediately prior to the election; to have a capital or industry upon which he can subsist, and to know how to read and write.

161. The following persons cannot be members of the Ayuntamientos—Those in public employment paid by the State; the military, and those in the actual exercise of offices under the General Government, and ecclesiastics.

162. The Alcaldes shall be renewed totally every year; the Aldermen by one half, and also the Syndics, if there are two, being only one he shall be changed every year.

163. He that has discharged any of these trusts, cannot obtain any other municipal trust, nor can he be re-chosen for the same which he has discharged, until two years after he has ceased its functions.

164. The members of the Ayuntamientos shall be appointed by means of electoral municipal assemblies, which shall be held in the same form as the municipal assemblies for the appointment of deputies to Congress. These assemblies shall be convoked on the first Sunday in December, and shall meet and discharge their functions the second Sunday and the day following.

165. In consequence of said assemblies, they shall be considered as constitutionally elected, for Alcaldes, Aldermen, and Syndics, who have received the greatest number of votes for those offices respectively. A tie which may be between two or more individuals, the Ayuntamiento sitting at the time of election, shall decide by lot.

166. If any of the individuals of the Ayuntamiento shall die, or for any other cause vacate his trust, the citizen who on the list

had the next greatest number of votes, shall proceed to the discharge of its duties.

167. The offices of the Ayuntamiento are municipal charges from which no persons can excuse themselves.

**TITLE 3d.—Of the Judicial Power. ONLY SECTION.—Of the Administration of Justice in general.**

168. The administration of justice in civil and criminal cases, belongs exclusively to those tribunals and courts, which, by the regulation of the Constitution exercise the judicial power.

169. Neither the Congress nor the Governor can interfere in pending causes, neither can they, nor the same tribunals and courts open those finished.

170. Every inhabitant of the State must be judged by tribunals and competent judges established anterior to the act for which he is tried, and in no manner by special commission, nor by retro-active (retroactiva—*ex post facto*) law.

171. The laws shall prescribe the order and formalities to be observed in all processes; which shall be uniform in all the courts and tribunals, and cannot be dispensed with by any authority.

172. The tribunals and courts, as authorities constituted only to apply the laws, have no power to interpret them or suspend their execution.

173. The military and ecclesiastics, resident in the State, shall continue subject to their respective authorities.

174. No suit shall have more than three hearings and as many sentences. The laws shall prescribe which of said sentences shall be executed, and no appeal shall be admitted unless in case of error, and for other causes as the said laws may provide.

175. The judge who has passed sentence in a case in one instance, cannot hear it anew in any other, nor in an appeal for any error brought upon the same.

176. Bribery, corruption, and prevarication are grounds of popular action against the Magistrate or Judge who commits them.

177. Justice shall be administered in the name of the free State of Coahuila and Texas, in the form prescribed by the laws.

**PARAGRAPH 1st.—Of the Administration of Justice in civil cases.**

178. Every inhabitant of the State can terminate his differences, be the state of the case what it may, by medium of arbitrators or any other extra-judicial manner; the agreements in this particular shall be religiously observed, and the sentence of the arbitrators executed, if the parties who have made the compromise do not reserve the right of appeal.

179. Affairs of small amount shall be terminated by inferior courts, whose judgment shall be executed without appeal. A particular law shall fix the amount and the mode of procedure in them.

180. In other civil and criminal affairs upon inquiries, an amicable settlement shall first be attempted in the form established by law, and unless it shall appear that such attempt has been made, a suit in writing cannot be sustained, except in those cases which the law shall determine.

**PARAGRAPH 2d.—***Of the Administration of Justice in Criminal Cases.*

181. Every criminal charged with light offences, that ought to be punished by correctional penalties, shall be judged by inferior courts without the formalities, and from their sentence there shall not be interposed an appeal or any other remedy. A law shall fix these penalties, and class the offences to which they correspond.

182. In weighty offences, there shall be formed a summary examination of the offence, without which requisite, and the corresponding accusation, a copy of which shall be given to the defendant and to the jailor, no person shall be imprisoned.

183. If the judges cannot immediately comply with the provisions of the anterior article, the arrested person shall not be considered a prisoner, but merely as detained; and if in forty-eight hours he shall not be notified of the cause of his detention, and the same is not communicated to the jailor, he shall be set at liberty.

184. He who gives security in cases in which the law does not expressly prohibit it, shall not be imprisoned; and should it appear in any stage of the case, that corporal punishment cannot be inflicted on the prisoner, he shall be discharged on giving bail.

185. Those who have to declare relative to their own acts in criminal cases shall do so without an oath.

186. The delinquent found in the act can be arrested by any person and carried into the presence of the judge.

187. The greatest care shall be taken, that the prisons serve only for the security of the prisoners, and not for their annoyance, (y no paraf molestarlos.)

188. Trials, in criminal cases, shall be public, in the mode and form which the laws may establish, from the time that it is determined either on the confession of the criminal or on the charges against him, to commit him for trial.

189. The penalty of confiscation of Goods is forever prohibited, and they can be detained only in cases where the crime involves a pecuniary responsibility, and then solely in proportion to that responsibility.

190. No torments or compulsions shall ever be used, and the penalties which are imposed, whatever may be the crime, cannot be transferable to the family of him that suffers, but shall have effect solely upon the person convicted.

191. No authority of the State shall issue an order for the search of houses, papers, and other effects of the inhabitants, unless in those cases and in the form which the law prescribe.

192. One of the principal subjects for the attention of Congress, shall be to establish in criminal cases, the trial by Jury, extending it gradually, and even adopting it in civil cases, in proportion as the advantages of this precious institution may be practically developed.

PARAGRAPH 3d.—*Of the Inferior Courts and Superior Tribunals.*

193. The inferior courts shall continue in the mode and form which a law shall prescribe, until there are revenues of the State, which in the judgment of Congress, may permit the appointment of District Judges, (Ineces de letas) who ought to be appointed to each district.

194. In the capital of the State, there shall be a Supreme Tribunal of Justice divided into three halls, each one composed of the magistrate or magistrates which the law designates, and this tribunal shall have one Attorney General, (Fiscal) who shall despatch all the business of the three halls: the same law shall determine whether the hall shall be composed of one judge alone, or whether colleagues ought to be appointed, and the mode and form in which it ought to be done.

195. The two first halls shall take cognizance, in the first and second instance, of civil causes of the inferior courts, and also of the criminal causes, according as the laws shall determine.

196. To the third hall shall appertain—First, to decide the disputes between the subaltern judges. Second, to determine the appeals of error, which may be interposed against the sentences to be executed in the 1st, 2d, and 3d instances. Third, to take cognizance of all appeals for grievances which may be sent up from the tribunals and ecclesiastical authorities of the State. Fourth, to examine the lists, which must be monthly remitted, of pending causes in the first, second, and third instances, to pass copies of these to the Governor, to direct their publication by the press. Fifth, to hear points of law which may be offered to the two first halls and to the tribunals of the first instance, and to pass them to Congress by means of the Governor, with the corresponding opinion.

197. The cases for delinquencies in office against the inferior judges, and also those which may be formed for delinquencies, of an equal class against the deputies of Congress, the Governor, Vice-Governor, Counsellors, Secretary of State, and the individuals of the Tribunal of Justice, shall begin and terminate before the Supreme Tribunals. The other faculties of this and its respective halls, the law shall define.

198. In case of a prosecution against the whole of this tribunal, or any of its halls, the Congress shall appoint a special tribunal,

composed of the corresponding number of halls, and also the magistrate, or magistrates, which may be deemed necessary to fill them.

199. Of the appeals for errors in causes which may be preferred before the Supreme Court of Justice, in the cases of the individuals which are spoken of in the anterior Article, and in those affairs which belong to the third hall, the special tribunal appointed for these purposes by Congress, shall take cognizance.

200. To be a Judge or Attorney General, it is necessary to be a citizen in the exercise of his rights, upwards of twenty-five years of age, to be born in some part of the Federation, and a lawyer of probity and learning.

201. The Judges and Attorney General shall be appointed by Congress on the recommendation of the Executive. They shall enjoy a competent salary, which the law shall designate, and they cannot be removed from office unless for causes legally ascertained.

202. The individuals of the Supreme Tribunal of Justice, are responsible for all their proceedings in the discharge of their functions, and can be impeached before Congress by any individual of the public.

#### TITLE FOURTH. ONLY SECTION.—*Of the Public Revenue.*

203. The contributions of the individuals who compose the State, shall form the public Revenue of the same.

204. These contributions can be direct, indirect, general, or municipal, but of whichever class they may be, they must be proportioned to the expenses they have to meet, and to the means of the citizens.

205. Taxes cannot be imposed, except to pay the quota of the State, to defray that part which corresponds to the Revenue of the Federation, and to meet the expenses of the State. The taxes for this last object, shall be precisely fixed in the first sessions of every year, in conformity with the estimate which the Governor shall present, and which the Congress shall approve.

206. The present taxes shall continue until Congress shall repeal or alter them.

207. For the receipt, security, and distribution of the Revenues of the State, there shall be in the capital one Treasury General.

208. The chief of said treasury shall not receive credit for any payment which has not been made, to defray the charges approved of by Congress, and by special order of the Governor.

209. A special regulation shall govern the offices relative to the public Revenue of the State.

210. The Congress shall annually appoint three individuals of their own body or out of it, in order to examine the accounts of the Treasury of the State, who shall pass them with their report to Congress, for their approbation. And the resolution of the Congress shall be published and circulated to the Ayuntamientos, with a view that they may do the same within their districts.

**TITLE 5th. ONLY SECTION.—***Of the Civic Militia of the State.*

211. In all the towns of the State, there shall be established corps of civic militia, and these shall constitute the military force of the same.

212. The formation of these corps, their organization, discipline, and internal government, shall be regulated by Congress, conformably to the general laws of Federation on the subject.

213. The Congress shall regulate the service of this militia, so as to effect the purposes of their institution, in a manner the most useful to the state and the least burthensome to the citizens.

214. No inhabitant of Coahuila and Texas can be excused from affording his service when required by law.

**TITLE 6th. ONLY SECTION.—***Of Public Instruction.*

215. In all the towns of the State, there shall be established a competent number of common schools, (primeras letras) in which there shall be taught, reading, writing, and cyphering; the catechism of the christian religion; a short and simple explanation of this Constitution, and the general one of the Republic; the rights and duties of man in society, and that which can most conduce to the better education of youth.

216. In those places in which it may be necessary, and where circumstances permit, there shall be institutions of learning, more suitable for disseminating in the State, public instruction in the useful arts and sciences, and in these shall be fully explained the aforesaid Constitutions.

217. The method of instruction shall be uniform throughout the State, and to facilitate this end, the Congress shall form a general plan for public instruction, and shall regulate by means of statutes and laws, whatever appertains to this most important object.

**TITLE 7th. ONLY SECTION.—***Of the Observance of the Constitution.*

218. The observance of the Constitution in all its parts, is one of the most sacred obligations of the inhabitants of the State of Coahuila and Texas, and no one can be absolved from it, neither the Congress nor any other authority. And every inhabitant of Coahuila and Texas can insist upon this observance, making representations for this object to the Congress, or to the Executive.

219. Any infraction of this Constitution, creates a personal responsibility. In order to render effective this responsibility, the Congress shall issue the laws and decrees, which it believes conducive to this object. And besides every year at their first session, shall take into consideration the infractions which the permanent deputation and the council of government may present, and shall do what may be necessary thereon.

220. The public functionaries of the State, of whatever class they may be, shall at the time of entering upon their offices, take

the oath to observe, sustain and defend, the Constitutional Act, the general Constitution, and that of the State, and to discharge faithfully and completely the duties of their office.

221. Propositions for the reformation, alteration, or abrogation of one or more of the Articles of this Constitution, must be made in writing, and be supported and signed by two-thirds of the deputies.

222. The Congress, in whose time any of these propositions may be made, shall not act otherwise thereon in the second year of their session, than by reading and publishing them with the grounds upon which they are supported.

223. The following Congress will either admit or reject the discussion of these propositions, and being admitted, they shall be published anew by the press, and shall be circulated by the Governor, in order that they may be read in the next electoral assemblies before they shall make the appointment of deputies to Congress.

224. In the following Congress, they shall discuss the proposed alteration, reforms, or abrogations, and if they are approved of, they shall be immediately published with the Constitutional Articles.

225. In making the reforms, alterations, or abrogations indicated, besides the rules prescribed in the anterior articles, there shall be observed all those formalities provided for the passing or repealing of the Laws with the exception of the right conceded to the Governor of making observations, which cannot take place in these cases.

GIVEN IN SALTILLO, 11th, March, 1827. Santiago del Valle, President; Juan Vicent Campos, Vice President; Rafael Ramos Valdez, Jose Maria Viesca, Francisco Antonio Gutierrez, Jose Isaquim de Arce Rosalez, Mariano Varela, Jose Maria Valdez y Guajardo, Jose Cayetamo Ramos, Deputy and Secretary; Dionisio Elisondo, Deputy and Secretary.

*Therefore, I command,* That it be printed, published, circulated, and complied with.

Given in Saltillo, 11th, March, 1827.

JOSE IGNACIO ARISPE.

JUAN ANTONIO VADILLA, *Secretary.*



# METEOROLOGICAL TABLES,

*For the months of March, April, May, June, July, August, and September, 1831, kept at Anahuac, Galveston Bay, State of Coahuila and Texas, Mexico, in latitude 29° 18'.*

## MARCH.

Date	Morning	Noon	Evening	Winds	Weather	Date	Morning	Noon	Evening	Winds	Weather	Remarks
1	80	92	78	S.E.	Pleasant.	17	50	57	59	E.N.E.	Pleasant.	Average Heat this Month, 64d. 19m.—74d. 39m.—64d. 5m.— two-thirds of the month clear and pleasant.
2	78	92	74	E.S.E.	—	18	62	66	67	N.W.	—	
3	70	70	70	S.E.	Cloudy.	19	59	60	56	N.E.	—	
4	68	70	70	—	—	20	58	61	57	—	—	
5	68	68	65	S.	Rain.	21	54	64	60	S.E.	—	
6	66	69	60	N.N.E.	Clear.	22	64	68	69	S.W.	—	
7	44	64	58	N.E.	Pleasant.	23	68	74	70	E.	Rain.	
8	48 <sup>1</sup> / <sub>2</sub>	60	58	—	Cloudy.	24	60	68 <sup>1</sup> / <sub>2</sub>	64	W.S.W.	Pleasant.	
9	52	60	61	—	Clear.	25	60	66	64	S.&S.E.	Rain.	
10	58	66	57	S.W.	—	26	66	74	71	Calm.	Pleasant.	
11	52	68	64	S.E.	—	27	64	72	70	S.E.	Some rain	
12	58	60	61	N.W.	Rain.	28	68	73	64	W.	Cloudy.	
13	58	67	66	S.E.	Pleasant.	29	62	73	68	N.W.	Clear.	
14	59	70	64	—	—	30	64	67	69	S.E.	—	
15	65	67	69	—	Some rain	31	66	73	70	S.	—	
16	52	56	59	N.N.E.	—							

## APRIL.

Date	Morning	Noon	Evening	Winds	Weather	Date	Morning	Noon	Evening	Winds	Weather	Remarks
1	70	74	72	S.E.	Cloudy.	16	68	76	70	S.E.	Pleasant.	Average Heat, 63d. 24m.—72d. 33m.—65d. 26m.—greatest part of the winds from S.E.
2	70	76	74	—	Pleasant.	17	66	72	70	S.W.	Showers.	
3	72	74	65	—	Rain.	18	71	81	76	N.N.E.	Pleasant.	
4	52	62	63	N.N.W.	Pleasant.	19	70	76	73	S.E.	Foggy.	
5	51	61	60	E.N.E.	Cl. & rain.	20	70	75	72	—	Pleasant.	
6	61	63	69	N.W. & W.	Rain.	21	73	79	74	—	—	
7	67	71	70	S.S.E.	Forgy.	22	74	79	76	—	—	
8	47	60	57	N.W.	Cl. & clear	23	73	78	70	S.S.E.	—	
9	50	63	66	Calm.	Pleasant.	24	61	72	70	N.W.	—	
10	58	69	67	S.W.	—	25	57	76	72	S.E.	—	
11	58	73	67	S.	—	26	58	77	68	W.	—	
12	61	73	67	S.S.E.	Rain.	27	62	76	66	N.W.	—	
13	60	70	66	N.W.	Hl. & rain	28	66	78	66	S.E.	—	
14	60	67	65	S.E.	Pleasant.	29	68	78	70	S.E.	—	
15	58	68	67	N.W.	—	30	70	82	76	S.	Clear.	

## MAY.

Date	Morning	Noon	Evening	Winds	Weather	Date	Morning	Noon	Evening	Winds	Weather	Remarks
1	77	83	77	S.	Pleasant.	17	64	68	60	N.W.	Clear.	Average Heat, 69d. 16m.—80d. 21m.—74d. 37m.—Winds, South and East three-fourths of the time. Weather this month pleasant.
2	76	86	82	E.	—	18	55	70	66	—	—	
3	70	81	76	S.E.	Cloudy.	19	60	78	68	S.E.	—	
4	72	82	77	—	—	20	66	86	76	—	—	
5	72	81	80	—	—	21	72	84	70	N.&S.E.	—	
6	78	78	80	Changeable.	Pleasant.	22	68	87	80	N.	Rain.	
7	64	76	74	N.	—	23	68	78	77	S.E.	Pleasant.	
8	62	80	74	N.W.	—	24	71	86	78	S.W.	Rain.	
9	64	80	74	S.E.	—	25	72	86	79	S.W.	—	
10	62	80	74	—	—	26	73	83	79	S.E.	Pleasant.	
11	68	84	72	—	—	27	73	83	70	—	—	
12	72	74	74	S.W.	Rain.	28	74	82	70	—	—	
13	74	84	68	S.E.	Pleasant.	29	72	87	70	E.S.E.	—	
14	72	84	76	—	—	30	70	87	78	—	—	
15	76	74	70	—	Rain.	31	80	87	78	—	—	
16	70	82	78	—	Clear.							

## JUNE.

Date	Morning	Noon	Evening	Winds	Weather	Date	Morning	Noon	Evening	Winds	Weather	Remarks
1	70	87	78	Variable	Fair.	16	75	86	82	S.E.	Showers.	Average Heat, 74d. 36m.—86d. 0m.—80d. 44m.—Twenty days pleasant weather. Winds from S. and S.E. It may perhaps be worthy of remark, that during this month, gentle land breezes have prevailed every morning until about 8 o'clock, after which a sea breeze until about sunset, which may be considered the prevailing wind through the summer months.
2	73	86	78	—	—	17	74	86	73	S.S.W.	Heavy Sh.	
3	74	87	82	S.E.	—	18	70	86	73	Variable.	Cloudy.	
4	72	87	79	N.	—	19	74	86	73	—	Rain.	
5	74	83	80	S.E.	—	20	78	84	82	S.W.	Pleasant.	
6	78	84	80	S.	Shower.	21	74	88	82	S.E.	—	
7	78	84	81	S.S.E.	Pleasant.	22	77	86	82	S.S.W.	Hazy.	
8	79	84	80	S.	—	23	80	86	82	S.W.	—	
9	76	87	78	S.E.	—	24	78	89	81	S.E.	Fair.	
10	73	87	83	—	—	25	76	89	93	S.	Evening Thunder.	
11	75	87	85	N.	—	26	73	86	84	S.W.	Rain in Morning.	
12	78	88	84	—	—	27	72	86	82	N.N.W.	Fair.	
13	72	90	84	W.	—	28	69	83	82	N.W.	—	
14	78	86	79	S.	—	29	71	86	80	S.	—	
15	75	88	80	S.E.	Cloudy.	30	72	86	80	S.E.	—	

## JULY.

Date	Morning	Noon	Evening	Winds	Weather	Date	Morning	Noon	Evening	Winds	Weather	Remarks
1	76	88	84	N.E.	Fair.	17	76	87	84	S.S.W.	Pleasant.	Average Heat, 81d. 13m.—88d. 38m.—84d. 0m.—Many showers this month; very high tides. On the 5th heavy rain in the morning. On the 10th, heavy squall with rain, thunder, and lightning.
2	72	88	84	S.W.	—	18	78	90	82	S.W.	Clear.	
3	72	90	84	S.	—	19	80	90	84	—	Thunder and Rain.	
4	74	92	84	Calm.	Morning Showery.	20	78	91	84	S.E.	Showery Rain.	
5	82	92	86	S. by E.	Pleasant.	21	78	84	82	—	—	
6	80	92	86	S.W.	—	22	80	87	82	—	—	
7	80	93	89	—	—	23	80	84	81	S.W. by S.	Pleasant.	
8	80	92	90	S.	—	24	80	86	84	S.	—	
9	78	94	88	S.W.	—	25	78	88	84	S. by W.	—	
10	78	92	80	Variable.	Rain and Thunder.	26	82	89	86	S.W.	—	
11	74	86	80	N.E.	Fair.	27	80	89	85	—	—	
12	74	88	80	—	Showers.	28	80	88	88	N.	Part of th' D. showry	
13	71	85	84	—	Cloudy.	29	80	90	88	S.	Clear.	
14	74	88	81	—	—	30	80	89	88	S.E.	—	
15	80	88	80	Variable.	Showers.	31	84	89	86	S.	—	
16	78	79	76	S.S.W.	Rain.							

## AUGUST.

Date	Morning	Noon	Evening	Winds	Weather	Date	Morning	Noon	Evening	Winds	Weather	Remarks
1	78	89	85	S.E.	Fair.	17	80	88	87	N.W.	Hazy.	Average Heat, 76d. 23m.—84d. 19m.—81d. 36m. Easterly winds prevailing.
2	78	87	86	—	—	18	82	89	86	—	Clear.	
3	79	96	85	Variable.	Showers.	19	83	88	82	S.W.	Light Showers.	
4	79	89	85	Calm.	Fair.	20	82	88	84	—	Fair.	
5	78	89	85	S.E.	—	21	80	84	80	S.	Hazy.	
6	82	86	84	Variable.	Cloudy & Showers.	22	78	83	82	N.E.	Fair.	
7	73	77	80	N.E.	Pleasant.	23	75	80	80	—	—	
8	68	80	72	—	—	24	70	78	77	—	—	
9	66	79	71	—	—	25	71	81	81	—	—	
10	70	80	79	—	—	26	74	87	80	—	—	
11	75	86	83	—	Cloudy.	27	73	83	84	—	Flying Clouds.	
12	76	84	83	E.N.E.	Clear.	28	76	85	80	—	Cloudy & Rain.	
13	80	84	81	N.E. by E.	Rain.	29	76	77	74	North Gale	Showery.	
14	79	82	82	S.	Cloudy.	30	75	85	84	S.	Clear.	
15	76	81	81	S.E.	Showers.	31	78	84	82	S.E.	Hazy.	
16	78	85	85	N.E.	—							

## SEPTEMBER.

Date	Morning	Noon	Evening	Winds	Weather	Date	Morning	Noon	Evening	Winds	Weather	Remarks
1	76	84	84	W.	Clear.	11	78	82	80	Variable.	Rain.	Average Heat. 75d. 3m.—82d. 7m.— 79d. 30m.—Winds S. and S.E. about two-thirds of the time.
2	80	86	83	S.	Hazy.	12	75	80	77	N.E.	Light Shs.	
3	76	85	83	—	Clear.	13	73	80	80	S.E.	Cloudy.	
4	77	85	82	—	—	14	70	78	76	—	Clear.	
5	76	86	81	—	—	15	76	82	78	N.E.	—	
6	75	86	82	—	—	16	76	81	78	—	Cloudy.	
7	78	86	83	—	—	17	74	82	78	—	Hazy.	
8	80	86	81	—	—	18	69	76	76	S.E.	Clear.	
9	78	87	84	—	—	19	66	74	70	—	Fair.	
10	80	86	82	—	—	20	68	76	72	—	—	

## OFFICIAL STATEMENT

*Of Duties received at the Port of Matamoras, for the Financial years commencing the 1st of July, and ending the 30th of June, for the years 1829 and '30, to 30th July, 1831, viz :—*

From July 1, 1829, to 30th June, 1830, . . .	\$393.894.4.5.
From July 1, 1830, to 30th June, 1831—as per statement, . . . . .	1.046.078.1.8.

Net gain for last year, . . . . \$652,183 68

From July 1, 1830, to the 30th June, 1831, seventy-eight vessels arrived at this port—of which fifty-seven were foreign vessels, and from foreign ports.

The above is confirmed by the signatures of the Collector and Magistrates of Matamoras, and dated 8th September, 1831.

## COMPARISON OF MEASURES.

MEXICAN.	ENGLISH.
1 foot	equal to $11\frac{1}{9}$ inches.
1 yard or one vara	$33\frac{1}{3}$ .
108 varas	100 yards.
1000 varas	$\left\{ \begin{array}{l} 925\frac{9}{10}\frac{2}{0}\frac{5}{0}\frac{9}{0} \text{ or } 925 \text{ yards, } 2 \text{ feet,} \\ 9\frac{1}{3} \text{ inches.} \end{array} \right.$
1000 varas square, or 1 million square varas, is 1 Labor,	$\left\{ \begin{array}{l} 177\frac{1}{10}\frac{8}{0}\frac{6}{0} \text{ acres, or about } 177\frac{1}{8} \\ \text{acres, equal to about } 17,- \\ 725\frac{2}{3} \text{ rods.} \end{array} \right.$
5000 varas sq. is 1 league,	$\left\{ \begin{array}{l} 4629 \text{ yards, } 1 \text{ foot, } 10\frac{2}{8} \text{ inches,} \\ 2\frac{6}{10}\frac{3}{0}\frac{2}{0} \text{ miles, or } 2 \text{ miles, } 201 \\ \text{rods, } 12 \text{ feet, } 4\frac{2}{3} \text{ inches.} \end{array} \right.$
1 league square, or 25 million square varas is 1 sitio.	$\left\{ \begin{array}{l} 4428\frac{4}{10}\frac{0}{0}\frac{2}{0} \text{ acres.} \end{array} \right.$

A Township of 4 sitios is  $17,713\frac{6}{10}\frac{0}{0}\frac{8}{0}$  acres English.

An American Township of 6 miles square, is 23,040 acres.

To bring Mexican measure into English, deduct  $7\frac{4}{10}\frac{1}{0}$  per cent.

A Mexican Township of 4 sitios, will make 100 farms of  $177\frac{1}{8}$  acres, English.

To bring English measure into Mexican, add 8 per cent.

4,840 yards make an acre, English :  $5,714\frac{3}{10}\frac{5}{0}$  varas make an acre, English.

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